

1110

79

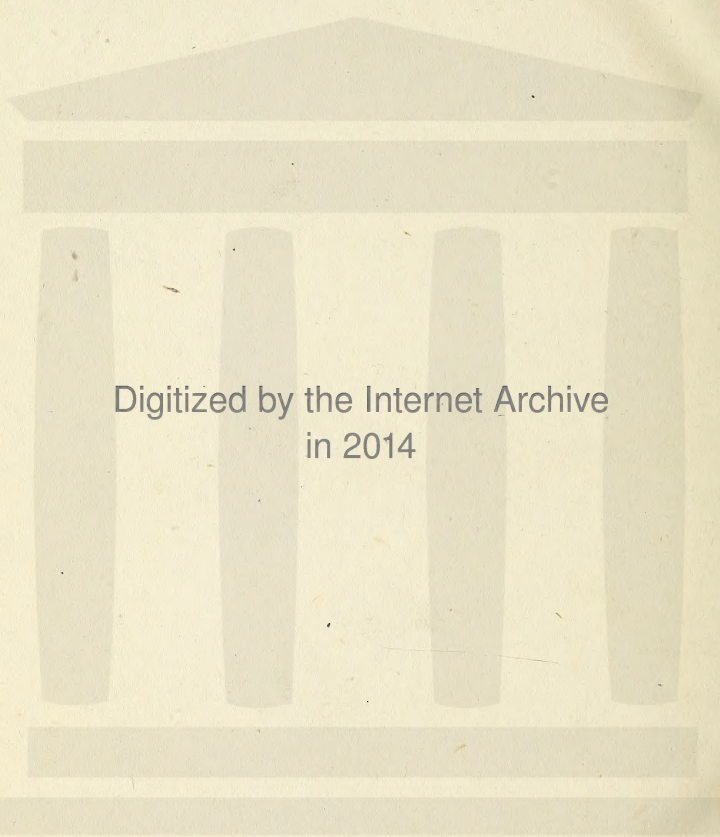
**THE UNIVERSITY
OF ILLINOIS
LIBRARY**

328.7781

M69

1879

REMOTE STORAGE



Digitized by the Internet Archive
in 2014

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

THIRTIETH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

AT THE

REGULAR SESSION

COMMENCING JANUARY 8, 1879.

JEFFERSON CITY:

CARTER & REGAN, STATE PRINTERS AND BINDERS.

1879.

JOURNAL

LIBRARY
UNIVERSITY OF
MISSOURI

OF THE

HOUSE OF REPRESENTATIVES

OF THE

THIRTIETH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

OF THE

HOUSE OF REPRESENTATIVES

COMMENCED JANUARY 8, 1887

REPRINTED BY

THE MISSOURI STATE PRINTING HOUSE

328.7781
M69
1879

REMOTE STORAGE

HOUSE JOURNAL.

HALL OF THE HOUSE OF REPRESENTATIVES, JEFFERSON CITY, Mo., }
January 8, 1879. }

The House was called to order by Mr. McIntyre of Audrain county.

Prayer was offered by the Rev. Mr. Wood of Cooper county.

Mr. McIntyre nominated Mr. Davis of Saline county as temporary Speaker, which nomination being seconded, Mr. Davis was unanimously elected.

Mr. Wells of Platte county nominated Mr. Dan. Boon as temporary Chief Clerk, which motion being seconded, Mr. Boon was unanimously elected.

The following communication was received from the Secretary of State:

STATE OF MISSOURI, DEPARTMENT OF STATE, }
CITY OF JEFFERSON, January 8, 1879. }

To the Hon. the Speaker of the House of Representatives of the Thirtieth General Assembly:

SIR: As required by law, I have the honor to lay before your honorable body herewith, a list of the names of the Members of the House of Representatives of the Thirtieth General Assembly of Missouri, elected at the general election held on the fifth day of November, A. D. eighteen hundred and seventy-eight, as the same appear on the returns of said election in my office.

I have the honor to be, very respectfully,

Your obedient servant,

MICHL K. McGRATH,

Secretary of State.

832876

LIST OF MEMBERS.

COUNTIES.	NAMES.
Adair.....	Francis M. Harrington.
Andrew.....	David Bonham.....
Atchison	Archibald S. Campbell.
Audrain.....	Daniel H. McIntyre.....
Barry.....	Charles S. Bryan.....
Barton.....	George Andrews.....
Bates.....	Levi Moler.....
Benton.....	John R. Freed.....
Bollinger.....	Robert Drum.....
Boone.....	J. W. Kneisley.....
Buchanan, 1st district.....	John Saunders.....
“ 2d district.....	Thomas J. Crowther....
“ 3d district.....	John T. Riley.....
Butler.....	John D. Ham.....
Caldwell.....	Bushrod M. Dilley.....
Callaway.....	Henry Larimore.....
Camden.....	H. H. Windes.....
Cape Girardeau.....	Sol. R. Burford.....
Carroll.....	Thos. H. Ballew.....
Carter.....	F. M. Coleman.....
Cass.....	Gage S. Spring.....
Cedar.....	Samuel L. Smith.....
Chariton.....	David H. Hammons.....
Christian.....	David M. Cowan.....
Clark.....	John N. Boulware.....
Clay.....	Wm. W. Dougherty.....
Clinton.....	Alexander C. Cook.....
Cole.....	J. Ed. Belch.....
Cooper.....	Wm. C. Ewing.....
Crawford.....	Joseph Crow.....
Dade.....	W. J. Morrison.....
Dallas.....	M. L. Reynolds.....
Daviess.....	Elijah Hubbard.....
DeKalb.....	W. H. Haynes.....
Dent.....	J. E. Organ.....
Douglas.....	Frank Kendall.....
Dunklin.....	J. S. Long.....
Franklin, 1st district.....	John W. Booth.....
“ 2d district.....	Frederick W. Pehle....
Gasconade.....	Wm. A. Cooper.....
Gentry.....	T. A. McKinney.....
Greene, eastern district.....	M. V. Ingram.....
“ western district.....	D. C. Dade.....
Grundy.....	Benjamin Lockhart.....
Harrison.....	Charles D. Knight.....
Henry.....	William H. Cock.....
Hickory.....	Joseph Whitaker.....
Holt.....	Bryant O. Cowan.....
Howard.....	Jo. H. Finks.....
Howell.....	E. F. Hynes.....
Iron.....	John W. Berryman.....
Jackson, 1st district.....	W. C. Adams.....
“ 2d district.....	S. C. Ragan.....
“ 3d district.....	N. M. Gwynne.....
“ 4th district.....	P. H. Tiernan.....
Jasper.....	W. J. Pollard.....
Jefferson.....	Jas. H. Waggener.....
Johnson, eastern district.....	Finis C. Farr.....
“ western district.....	Charles C. Tevis.....
Knox.....	J. V. Withers.....
Laclede.....	Daniel Beckner.....
Lafayette, Eastern District.....	R. A. Collins.....
“ Western District.....	A. A. Lesueur.....

LIST OF MEMBERS—Continued.

COUNTIES.	NAMES.
Lawrence.....	H. J. Maynard.....
Lewis.....	John J. Loutham.....
Lincoln.....	Alexander Mudd.....
Linn.....	Willis H. Patterson.....
Livingston.....	Abel S. Cloud.....
McDonald.....	A. W. Chenoweth.....
Macon, 1st District.....	Wm. D. Powell.....
“ 2nd District.....	Wm. M. Vanceleve.....
Madison.....	John R. Turner.....
Maries.....	H. V. Warren.....
Marion, 1st District.....	Andrew J. Settles.....
“ 2nd District.....	Wm. R. Anderson.....
Mercer.....	Joseph H. Burrows.....
Miller.....	Samuel T. Harrison.....
Mississippi.....	W. P. Swank.....
Moniteau.....	W. C. Alldridge.....
Monroe.....	Thos. P. Bashaw.....
Montgomery.....	J. H. Talbott.....
Morgan.....	David C. Dale.....
New Madrid.....	William Dawson.....
Newton.....	Martin Weygandt.....
Nodaway.....	Thomas E. Ellis.....
Oregon.....	Samuel W. Greer.....
Osage.....	John H. Diercks.....
Ozark.....	John W. Souder.....
Pemiscot.....	Geo. W. Carleton.....
Perry.....	Robert M. Brewer.....
Pettis.....	V. T. Chilton.....
Phelps.....	J. R. Bowman.....
Pike, District not given.....	H. G. Mackey.....
“ “ “ “.....	Enoch Pepper.....
Platte.....	W. C. Wells.....
Polk.....	S. B. Miles.....
Pulaski.....	B. D. Dodson.....
Putnam.....	Abraham L. Gray.....
Ralls.....	Wm. L. Brown.....
Randolph.....	Frank P. Wiley.....
Ray.....	L. C. Bohannon.....
Reynolds.....	Henderson Chitwood.....
Ripley.....	Thomas Mabrey.....
St. Charles.....	H. C. Lackland.....
St. Clair.....	Thomas J. Younger.....
St. Francois.....	Geo. W. Mahn.....
Ste. Genevieve.....	Wm. F. Cox.....
St. Louis, 1st District.....	Mortimer F. Taylor.....
“ 2nd District.....	Henry T. Mnnd.....
Saline, 1st District.....	Samuel Davis.....
“ 2nd District.....	B. F. McDaniel.....
Schuyler.....	Mark B. Patterson.....
Scotland.....	Samuel A. Lynn.....
Scott.....	M. Arnold.....
Shannon.....	Jas. P. Creager.....
Shelby.....	Wm. H. Rawlings.....
Stoddard.....	James L. Hale.....
Stone.....	P. C. Berry.....
Sullivan.....	W. H. Craig.....
Taney.....	J. C. Johnson.....
Texas.....	James W. Price.....
Vernon.....	James McKill.....
Warren.....	J. V. Hayes.....
Washington.....	John A. McCormick.....
Wayne.....	Pinkney L. Powers.....

LIST OF MEMBERS—Continued.

COUNTIES.	NAMES.
Webster.....	Joseph Wisby.....
Worth.....	Andrew McElvain.....
Wright.....	Ratliff B. Palmer.....
City of St. Louis, 1st District.....	John D. L. Dryden.....
“ “ 1st District.....	Geo. W. Hall.....
“ “ 1st District.....	Henry Manistre.....
“ “ 1st District.....	Frederick W. Mott.....
“ “ 2d District.....	Chas. A. Pollock.....
“ “ 2d District.....	Robert M. Foster.....
“ “ 2d District.....	Wm. Phelan.....
“ “ 2d District.....	Robert A. Campbell.....
“ “ 3d District.....	Lawrence Harrigan.....
“ “ 3d District.....	James J. McGarry.....
“ “ 3d District.....	Martin O'Malley.....
“ “ 3d District.....	Hugh J. Brady.....
“ “ 4th District.....	Thomas Smith.....
“ “ 4th District.....	Sidney D. McCormick..
“ “ 4th District.....	John R. Carroll.....

Which was read.

Mr. Campbell of St. Louis moved that the members come forward in numbers of ten and be sworn in ; which was agreed to.

The following members came forward, presented their credentials, and were sworn in as members of the House of Representatives of the Thirtieth General Assembly of the State of Missouri, by Hon. Elijah H. Norton, Judge of the Supreme Court of the State of Missouri :

Messr. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Belch, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis, Carroll, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Drum, Ewing, Ellis, Farr, Finks, Foster, Gray, Greer, Gwynne, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hayes, Haynes, Hubbard, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollack, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis City,

Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Van Cleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisly, Withers and Younger—139.

Absent—Messrs. Freed, Hynes, Morrison and Souder—4.

Mr. Wells offered the following resolution:

Resolved, That the House now proceed to the election of Speaker, Speaker *pro tem.*, Chief Clerk, Assistant Chief Clerk, En-grossing Clerk, Enrolling Clerk, Door-keeper and Sergeant-at-Arms in the order herein named; which was read.

Mr. Collins moved that the House adjourn until to-morrow morning at 9½ o'clock; which was agreed to.

SECOND DAY—THURSDAY, January 9.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Davis, of Saline, Speaker *pro tem.*, in the chair.

Prayer by the Rev. Mr. Masker.

The joarnal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

The question recurring on the resolution offered by Mr. Wells, pending adjournment on yesterday,

Mr. Wiley moved to amend by adding the words "official reporter;" which was agreed to.

The resolution, as amended, was then adopted.

The election of Speaker being in order,

Mr. Wiley nominated Mr. J. Ed Belch, of Cole.

Mr. Withers nominated Mr. R. C. Palmer, of Wright.

No other nominations being made, the House proceeded to vote, with the following result:

Whole number of votes cast, 137. Necessary to a choice, 69.

The members voting as follows:

FOR MR. BELCH—Messrs. Anderson, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Daw-

son, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Greer, Gwynne, Hale, Hall, Ham, Hammons, Harrigan, Harrington, Hayes, Haynes, Hubbard, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis City, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollack, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Wisby—112.

FOR MR. PALMER—Messrs. Adams, Alldridge, Andrews, Ballew, Belch, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Crowther, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvin, McKinney, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—25.

ABSENT—Messrs. Beckner, Farr, Freed, Hynes, Morrison and Souder—6.

Mr. Belch, having received a majority of all the votes cast, was declared elected.

Mr. Pollock offered the following resolution :

Resolved, That a committee of three be appointed by the chairman, to wait upon Mr. Belch and inform him of his election, and escort him to the chair.

Which was read and adopted.

The Chair appointed Messrs. Pollock, Wiley and Palmer.

Mr. Belch came forward and was sworn in as the Speaker of the House of Representatives of the Thirtieth General Assembly of the State of Missouri, by Judge Henry of the Supreme Court.

Speaker Belch took the chair and declared nominations for Speaker *pro tem.* in order.

The following members came forward and were sworn in as members of the Thirtieth General Assembly of the State of Missouri, by Speaker Belch :

Messrs. Freed, Hynes, Morrison and Souder.

Mr. McIntyre nominated Mr. Robert A. Campbell of St. Louis city.

There being no other nomination for Speaker *pro tem.*, the House proceeded to vote, with the following result :

Whole number of votes cast—134. Necessary to a choice—68.

The members voting as follows :

FOR MR. CAMPBELL—Anderson, Arnold, Bashaw, Belch, Berry, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hale, Ham, Hammons, Harrigan, Harrington, Hayes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Wisby—113.

FOR MR. DADE—Alldridge, Andrews, Ballew, Beckner, Burford, Burrows, Cloud, Crowther, Gray, Harrison, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—21.

ABSENT—Adams, Bohannon, Bonham, Campbell of St. Louis, Hall, Haynes, Ingram, Mudd of Lincoln and Organ—9.

Mr. Campbell having received a majority of all the votes cast, was declared elected and sworn in as Speaker *pro tem.* by the Speaker.

The Speaker declared nominations for Chief Clerk in order.

Mr. Campbell of St. Louis nominated Mr. W. S. Seymour of Ray.

Mr. Cloud nominated Mr. J. M. Williams of Johnson county.

There being no other nominations, the House proceeded to vote with the following result:

Whole number of votes cast, 141. Necessary to a choice, 71.

The members voting as follows:

FOR MR. SEYMOUR—Messrs. Anderson, Arnold, Bashaw, Belch, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis City, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Greer, Gwynne, Hale, Hall, Ham, Hammons, Harrigan, Harrington, Hayes, Haynes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur,

Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollack, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Wisby—116.

FOR MR. WILLIAMS—Messrs. Adams, Alldridge, Andrews, Ballew, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Crowther, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—25.

Absent—Messrs. Beckner and Farr.

Mr. Seymour, having received a majority of all the votes cast, was declared elected and was sworn in as Chief Clerk by the Speaker.

The Speaker declared nominations for Assistant Chief Clerk in order.

Mr. Moler nominated Mr. T. J. Lingle of Henry.

Mr. Burrows nominated Mr. C. V. Mead of Livingston.

There being no other nominations, the House proceeded to vote, with the following result:

Whole number of votes cast, 127. Necessary to a choice, 64.

The members voting as follows:

FOR MR. LINGLE—Messrs. Anderson, Arnold, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Carleton, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gwynne, Hale, Ham, Hammons, Harrington, Hayes, Haynes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Mr. Speaker—105.

FOR MR. FIELD—Mr. Adams—1.

FOR MR. MEAD—Messrs. Alldridge, Andrews, Burford, Burrows, Cloud, Cowan of Christian, Crowther, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, Palmer, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—21.

Absent—Messrs. Ballew, Beckner, Berry, Bohannon, Brady, Campbell of Atchison, Campbell of St. Louis, Carroll, Craig, Dawson, Drum, Farr, Greer, Hall, McKinney and Wisby—16.

Mr. Lingle, having received a majority of all the votes cast, was declared elected, and was sworn in by the Speaker.

The Speaker declared nominations for Engrossing Clerk to be in order.

Mr. McDaniel nominated Mr. J. B. Thompson of Monroe.

Mr. Dade nominated Mr. D. E. Grayston of Christian.

There being no other nominations, the House proceeded to vote, with the following result :

Whole number of votes cast, 131. Necessary to a choice, 66.

The members voting as follows :

FOR MR. THOMPSON—Messrs. Anderson, Arnold, Bashaw, Berry, Ber-ryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis City, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hale, Hall, Ham, Hammons, Harrigan, Harrington, Haynes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—110.

FOR MR. GRAYSTON — Messrs. Adams, Alldridge, Andrews, Ballew, Burford, Burrows, Cloud, Crowther, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Reynolds, Whitaker and Younger—21.

ABSENT—Messrs. Beckner, Bohannon, Chenoweth, Cowan of Christian, Diercks, Hayes, Moler, McCormick of Washington, McCormick of St. Louis, Pollard, Powell and Withers—12.

Mr. Thompson, having received a majority of all the votes cast, was declared elected, and was sworn in by the Speaker.

Mr. Campbell of St. Louis offered the following resolution :

Resolved, That the Chief Clerk inform the Senate that the House is now duly organized, as required by the Constitution, and is ready to proceed to business ; which was read and adopted.

Mr. Campbell of St. Louis offered the following resolution :

Resolved, That a committee of three from the House, and two from the Senate, be appointed to wait on the Governor and inform him that the Thirtieth General Assembly is now duly organized, and ready to receive any communication he may desire to make ; which was read and adopted.

The Speaker appointed Messrs. Campbell, of St. Louis, Booth, of Franklin, and Harrison, of Miller, as said committee on part of the House.

The Speaker declared nominations for Enrolling Clerk in order.

Mr. Wells nominated Mr. Wensel of Gasconade county.

Mr. Palmer nominated Mr. Nichols of Wright county.

There being no other nominations, the House proceeded to vote, with the following result :

Whole number of votes cast 139. Necessary to a choice, 70.

The members voting as follows :

FOR MR. WENSEL—Messrs. Anderson, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis City, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hale, Hall, Ham, Hammons, Harrigan, Harrington, Hayes, Haynes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McGarry, McIntyre, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollack, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—116.

FOR MR. NICHOLS—Messrs. Adams, Alldridge, Andrews, Ballew, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Crowther,

Gray, Harrison, Ingram, Knight, McElvain, McKinney, Palmer, Phelan, Powell, Reynolds, Whitaker, Withers and Younger—23.

ABSENT—Messrs. Beckner, Johnson, McKill and Dade—4.

Mr. Wensel, having received a majority of all the votes cast, was declared elected, and was sworn in by the Speaker as Enrolling Clerk.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives that the Senate has organized by the election of M. H. Phelan, President *pro tem.*; W. Y. Pemberton, Secretary; W. H. Mayo, Assistant Secretary; Ashley W. Ewing, Sergeant-at-Arms; B. P. Bailey, Door-keeper; Rev. T. W. Barrett, Chaplain; James Johnson, Official Reporter; John Delahay, Folder and Messenger; Masters R. Phipps and Wm. Hutsing, Pages; and is now ready to proceed to business; which was read.

The Speaker declared nominations for Sergeant-at-Arms to be in order.

Mr. Lesueur nominated Mr. Harvey Plattenburg, of Lafayette.

Mr. Palmer nominated Mr. Seth Atchley, of Laclede.

There being no other nominations, the House proceeded to vote, with the following result:

Whole number of votes cast, 132. Necessary to a choice, 67.

The members voting as follows:

FOR MR. PLATTENBURG—Messrs. Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Gwynne, Hale, Hall, Ham, Harrigan, Harrington, Harrison, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Withers and Mr. Speaker—109.

FOR MR. ATCHLEY—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Crowther, Dade, Gray, Ingram, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Powell, Whitaker and Younger—23.

ABSENT—Messrs. Chilton, Farr, Foster, Hammons, Hayes, Haynes, Long, Manistre, Mott, Phelan, Souder—11.

Mr. Plattenburg, having received a majority of all the votes cast, was declared elected, and was sworn in by the Speaker.

The following message was received from the Governor, by his Private Secretary, Mr. Yost :

SENATORS AND REPRESENTATIVES :

I welcome you to the field of your arduous labors. An appreciative and intelligent constituency, whose voice you will speak on the important questions which will come before you, will anxiously await the results. The provisions of the Constitution limit and restrict the powers of the Legislature. The great object has been to restrict legislative action, unless it can be general and not special. Hence local and special legislation has been prohibited. If a statutory enactment shall be beneficial to the people of this county, it is presumed it will be beneficial to all the people of this State. There has been a great change in public opinion on this subject within my recollection. In former years it was said that people would not invest their money in manufacturing and other enterprises, unless those engaging in the business could obtain a special charter of incorporation; and when a general law was advocated, in order to dispense with such special legislation, it was argued no one would risk his capital, when the general law was subject to change or repeal by a subsequent Legislature. Those urging such objections to general laws for incorporations had little or no faith in the capacity of the people to govern themselves. Special laws creating corporations are prohibited; and in those States whose constitutions on that subject are similar to our own, many corporations exist, formed under a general law. So incorporations under the general law are created every day in the State. I refer to those provisions of our Constitution which prohibit local and special legislation, so that the General Assembly, as well as the Chief Executive of this State, may not, in the great desire to serve the people, be unmindful of these salutary provisions. The Governor is required, at the commencement of each session of the General Assembly, to give information of the condition of the affairs of the State. The condition of the Treasury is a subject of grave importance, and hence I speak of it first.

THE TREASURY.

The Constitution contains the following provision relating to the duties of the State Treasurer:

"All moneys now, or at any time hereafter, in the State Treasury, belonging to the State, shall, immediately on receipt thereof, be deposited by the Treasurer to the credit of the State, for the benefit of the funds to which they respectively belong, in such bank or banks as he may, from time to time, with the approval of the Governor and Attorney-General, select, the said bank or banks giving security satisfactory to the Governor and Attorney-General, for the safe keeping and payment of such deposits, when demanded by the State Treasurer on his checks; such bank to pay a bonus for the use of such deposits not less than the bonus paid by other banks for similar deposits; and the same, together with such interest and profits as may accrue thereon, shall be disbursed by said Treasurer for the purposes of the State, according to law, upon warrants drawn by the State Auditor, and not otherwise."

From the time of the incorporation of the Bank of the State of Missouri, and until it ceased to exist as a State bank, it was the financial agent of the State. The State had, in its own right, and of trust funds, stock in that bank to nearly the amount of one-third of its capital stock, and, by law, moneys of the State were deposited in it. Whatever advantages resulted to the bank by reason of deposits of the moneys of the State, were shared by the State in proportion to its stock in that bank. When that bank ceased to exist as a State bank, there was no law requiring any moneys of the State to be deposited in any bank nor that the State Treasurer should seek to obtain interest on the money of the State for its benefit, by depositing it with any banking institution whatever. The duty of the Treasurer with respect to the safe-keeping of the treasure of the State is tersely defined. The law reads: "The Treasurer shall receive and keep all the moneys of the State not expressly required by law to be received and kept by some other person." The law did not require him to keep the money in the safe or vault; it did not require him to deposit it with any bank, nor with any other moneyed institution, nor was he required to deposit that money where interest could be obtained for the benefit of the State; nor was he prohibited from depositing the money in banks. The law left it to the discretion and judgment of the Treasurer alone, with no interference or supervision by any other person or persons, to determine for himself how and where he would "keep the moneys of the State." The Auditor had no authority to direct how and where the Treasurer should keep the moneys of the State. The

Treasurer is required to render to the Auditor a just and true account of all moneys received and also of all moneys disbursed, and stating under each head of appropriation what disbursements have been made, and to render his accounts to the Auditor for settlement quarterly, or oftener if required. But this does not give the Auditor the power to require the Treasurer to state where he keeps the money of the State—whether it is in the vault in the Capitol, or whether it is deposited with any, and if so, with what, banking institution. Nor did the Governor ever have, nor has he now, such supervising power. The executive officers are required to perform such duties as may be required by law; but the fifteenth section of the tenth article of the Constitution required of the State Treasurer other duties than those then prescribed by statute law. He is required to deposit the funds of the State in the bank selected by him, with the approval of the Governor and Attorney-General; and he is to require security satisfactory to the Governor and the Attorney-General for the safe-keeping and payment of such deposits. The attention of the last Legislature was called at an early period of the session to the necessity of legislation to carry into effect the provisions of the Constitution. The subject-matter was referred in the Senate to a select committee, composed principally of lawyers. That committee, in the month of January, made its report and designated many sections of the Constitution which, in their opinion, required legislation to carry them into effect, and, amongst other sections, designated Section fifteen of Article ten. The Senate adopted that report, and thereby adopted the opinions of that committee, and that section of the Constitution, amongst others, was referred to the Committee of Ways and Means, with instructions to report suitable bills. The opinion of the Attorney-General was sought. He was required to inform the Senate whether, in his opinion, that section of the Constitution was “self-executing.” After referring to the various statutes defining the duty of the Treasurer, and quoting from the speeches of the members of the Constitutional Convention, wherein they held that this section would require legislation to enforce it, he gives it as his opinion that the several statutes which he cited relating to the duties of the State Treasurer are inconsistent with the requirements of Section fifteen, Article ten, and that it is not self-enforcing, but legislation is necessary to carry it into effect.

The following is an extract from his reply to the resolution of the Senate requesting whether, in his opinion, this section of the Constitution was self-executing:

“Now, suppose that the Treasurer should select one or more utterly insolvent and worthless banks, or any one or more banks in a

foreign State, and the Governor and Attorney-General should refuse to approve the selection, and the Treasurer should decline to make a further selection, what would be the result? There is no requirement of the Constitution, or of any statute, that the Treasurer continue to make such further selection of a bank or banks until the Governor and Attorney-General shall approve a selection; there is no statute imposing any penalty upon the Treasurer for his failure to perform his duty in this particular; there would be no solution of the difficulty in the law, and the Treasurer would retain the funds as if said constitutional provision had never been adopted. Or, suppose that the Governor and Attorney-General should approve the selection made by the Treasurer, of a bank or banks, and such bank or banks were unable to give security, satisfactory to the Governor and Attorney-General, for the safe-keeping and payment of the State deposits, and the Treasurer should refuse to select any other bank or banks, how could the said section, in such case, be made effectual, unless the Legislature provides a statute that shall prescribe the details for the carrying into effect of this provision, with suitable penalties to compel the observance of said constitutional provision, and the statutes enacted in pursuance thereof? Again, what sort of security must the Governor and Attorney-General take for safe-keeping and payment of such deposits? Must it be a bond with personal security thereon, and if so, to whom shall the bond be given, and what are to be its conditions? Must it be given to the State, or to the Treasurer, or to the Governor and Attorney-General? Must the Governor and Attorney-General take real estate security, or bonds and choses in action, and if so, who is to have the custody and control of these securities? Ought there not to be some statute defining the duties, not only of the Treasurer, but of the Governor and Attorney-General, in this matter? Is the Treasurer at liberty to select his bank or banks of deposit for the State funds in any State or Territory that he may select? or is he restricted in such selection to the banks of this State? If the Governor and Attorney-General are authorized to take a bond, with personal security, for the safe-keeping and payment of the State deposits, must the sureties on the bond reside in this State, or can they, in case of a selection of a foreign bank or banks, take non-resident sureties on the bond of such bank or banks, given for the safe-keeping and payment of the deposits?

“These matters ought to be regulated by statute, because if a foreign bank should fail in the safe-keeping and payment of such State deposits, the State ought not to be required to go into the courts of a foreign State to recover said deposits.

"These suggestions, and others that might be named, demonstrate the proposition that the said section fifteen of Article ten can not be certainly enforced without the aid of statutory detail providing the manner and means for that purpose."

The House of Representatives, by resolution, requested the Treasurer to inform the House how much money there was in the Treasury, and where the same was deposited or kept. He replied the money of the State was deposited and kept as follows :

Bank of St. Joseph, Mo.....	\$1,034,998 42
National Bank State of Missouri.....	99,246 54
National Exchange Bank, Jefferson City.....	2,180 51
In vault.....	19,020 69
Total.....	\$1,155 446 16

The Treasurer named the several funds to which the money belonged. He also says :

"I further state that, inasmuch as there is no statutory law giving effect to Section 15, Article 10 of the Constitution, I have not observed the requirements of the same, but have the various funds in my custody so situated that I can subject the same to the requirements of any legislation that may be adopted for the government of the Treasury Department. I may further state that I have taken a bond from the Bank of St. Joseph, for my own protection, for one million dollars. Believing that the present General Assembly would, at an early day, enact laws enforcing the Constitution, the funds in my custody have been temporarily deposited in the foregoing banks for safe-keeping, and no interest has been paid for the same."

Bills to carry into effect the provisions of Section 15, Article 10, were introduced and were passed by each house of the General Assembly, but they differed in their provisions. The Legislature failed to enact any laws to carry into effect the provisions of said Section 15, to regulate the deposits and safe custody of the public moneys. The State Treasurer was then left to be governed by the statute law in the discharge of his official duties.

The Treasurer gave his official bond as required by law in the sum of one million of dollars, with eleven sureties, a portion of whom justified to the amount of \$1,550,000, which bond was filed with the Secretary of State, with my approval of the same indorsed thereon. If the sureties of the Treasurer should become insolvent, or remove from the State, nowhere is the authority given to the Governor, or any other officer, to require a new bond or additional security to be given. It is true, such request might be made, but there is no power or authority to coerce a compliance, or penalty for non-compli-

ance. Nor has the Governor the power to remove the Treasurer for a failure to perform the duties enjoined on him. Nor would it be right to vest in the Governor alone the power to remove him, or any other officer, at his pleasure. Nor is there any authority contained in the Constitution, nor in the law, by which the Governor can require the Treasurer to perform the duties named in section 15 of the 10th article of the Constitution, and whatever is to be done under that provision of the Constitution requires the Treasurer to take the initiative. The Treasurer never consulted me or advised with me about placing the public funds in the bank of St. Joseph, or in the Mastin Bank, nor in any other bank prior to the failure of the Mastin Bank. During my absence from the State in 1877, the Treasurer sought to carry out the provisions of the Constitution with respect to the deposits of the public money. One bank only submitted a proposal, and that was accepted in July, 1877. That bank was requested to furnish satisfactory security for the safe-keeping and payment of such deposits. The request was disregarded by the bank, and no security whatever was offered, and consequently no deposits by the State were made in it. This transaction occurred during the time of my absence, and whilst Lieutenant-Governor Brockmeyer was discharging the duties of Governor.

In the month of August, 1878, the Mastin Bank failed, and its assets were placed in the hands of its assignee. At the date of its failure the State Treasurer claimed to have to his credit in that bank the sum of \$506,187.80, moneys of the State. To secure the payment of his deposits in that bank he had taken the bond of the bank in the sum of one million dollars, with sureties, and also some collaterals which he had received from some of the sureties on the bond. A portion of these collaterals have been surrendered to the parties who had pledged them, and he has received in cash the sum of \$220,000, which reduces his demand against that bank to the sum of \$286,187.80.

During the last fall proposals were again invited from banks for the payment of a bonus for the use of the money of the State. Several banks submitted propositions. The proposals of the Bank of Commerce, of the city of St. Louis, for all, and of the National Exchange Bank, of Jefferson City, for \$50,000, of the money of the State, being the best and most advantageous offers to the State, were accepted by the Treasurer, with the approval of myself and the Attorney-General, and both of these banks gave security to the satisfaction of the Treasurer, the Attorney-General and myself. Those banks have each deposited bonds of the United States or of this State, or both, with trustees in the city of New York, to secure the faithful performance of their part of the contract. Such is their agreement,

and the Treasurer has been notified that stocks of such description have been deposited with the trustees, as was stipulated. But, it is respectfully submitted, if banks are to hypothecate stocks of any description, either of the United States or of this State, as security for the safe-keeping and payment of the deposits of the State, undoubtedly those banks would prefer the sale—if sale should take place of these securities—should be made in the city of New York, instead of St. Louis. If the sale is to be made by a trustee, it is desirable that trustee should be amenable to and within the jurisdiction of the courts of this State, and that the State should not be compelled to resort to the courts of a foreign jurisdiction for redress. If default by the banks which now have the deposits should occur, and if the trustees of the banks and of the State should neglect or fail to discharge the trusts they assumed, I have no doubt the present Treasurer, Attorney-General and Executive would be censured for permitting trustees to be selected who resided beyond the jurisdiction of this State; and if the propositions of the deposit banks had not been accepted, the executive officers would have been censured for not accepting the propositions, notwithstanding the trustees were non-residents of this State.

Copies of the contracts with these banks and the Treasurer will be submitted to you by him with his report, and I also respectfully refer you to the report of the Treasurer for further information respecting the transactions of his department.

The Treasurer, as I am informed, did, shortly after the failure of the Mastin Bank, institute suit against the bank and its sureties on the bond held by him, for the recovery of the money deposited in that bank. No legal proceedings have been directed by me to be commenced against the Treasurer on his bond, because it is believed the right of the State to institute suit will not accrue, under existing laws, till the Treasurer shall be required to give a new official bond. In the transactions of the Treasurer with the Mastin Bank, it is charged he has violated the criminal law. Indictments were found against him at the last October term of the Criminal Court of Jackson county, charging him with receiving benefits and advantages from the deposits of money of the State made in the Mastin Bank by him. The indictments, I am informed, were framed upon the 44th section of the 3rd article of "Crimes and Punishments." As soon as I was informed such indictments were pending, I directed the Attorney-General to assist John L. Peak, Esq., the prosecuting attorney of Jackson county, in the management and trial of these cases, as well as in the trial of some indictments which were preferred against the late Treasurer of this State for a violation of the same law. I regret the State was un-

able—by reason of the absence of witnesses—to proceed in the trial of these indictments against the Treasurer at the last term of this court. If the Treasurer is guilty as charged, or has violated any other law, let him be punished. The Executive will screen no one from punishment. The laws of the State shall be enforced against all alike, whether in public or in private life. But, as an act of justice to the Treasurer, it is proper that I should state the Treasurer demanded a speedy trial.

RENEWAL FUNDING BONDS.

Bonds of this State to the amount of \$838,000 fell due at different periods in the year 1877, and bonds to the amount of \$490,000 fell due in 1878. The act of March 29th, 1875, provided for the issue of new bonds, and the proceeds of those bonds were directed to be applied to the payment of bonds of this State issued in the years 1855, 1856 and 1857. Those bonds were redeemable at the pleasure of the Legislature at any time after the expiration of twenty years from their date. But, by the act referred to, it was declared those bonds should be redeemed at the expiration of twenty years from their respective dates. The bonds which fell due in 1878, fell due in the months of March, April, May, August, October and December. By the terms of this act no bonds could be issued at a later date than the year 1877. The Constitution provides there shall be an annual tax levied and collected, sufficient to pay the accruing interest upon the bonded debt of the State, and to reduce the principal thereof each year not less than \$250,000. The attention of the Legislature was called to the fact that whilst at least \$250,000 was required to be annually set apart for the extinguishment of the bonded debt of the State, there would fall due in 1878, \$490,000 of bonds. This would be in excess of the amount required to be placed in the Sinking Fund, and without a considerable increase in the revenue, this sum could not be paid without additional legislation. No additional legislation on that subject was had. The amount of \$1,328,000 of bonds fell due in 1877 and 1878, and there was no probability the State would be able to pay more than the sum of \$250,000 annually, as required by the Constitution. It was then apparent that as, under the act of March 29th, 1875, the only bonds which could be funded were those which fell due in 1877, there would be a necessity to convene the Legislature to provide for the exigency, or to fund the bonds which fell due in that year. The latter course was adopted. My predecessor stated to the General Assembly, in his message, "that in 1877 there will be to fund \$588,000, in 1878, \$240,000, and none during the following four years. As, under the act of March 29th, 1875, only the bonds falling due this year can be

funded, you will have to provide by a new act for funding the excess, \$240,000, for 1878." It was apparent to him that the State would be compelled to fund in the years 1877 and 1878 the sum of \$828,000 of its bonded debt, of the \$1,328,000 of bonds which fell due in those years. The bonds were issued to aid in the construction of the roads hereinafter mentioned, and fell due at the times stated :

STATE BONDS MATURED IN 1877.

March 17..	St. Louis and Iron Mountain.....	\$99,000
April 13..	St. Louis and Iron Mountain.....	68,000
May 18...	North Missouri Railroad.....	106,000
August 1...	North Missouri Railroad.....	146,000
August 12...	Cairo and Fulton Railroad.....	45,000
October 17...	Cairo and Fulton Railroad.....	43,000
Dec. 7...	Pacific Railroad, (S. W. B.).....	331,000
Total in 1877.....		\$838,000

STATE BONDS MATURED IN 1878.

March 4...	Pacific Railroad, (S. W. B.).....	\$146,000
June 2...	Pacific Railroad, (S. W. B.).....	54,000
June 21...	Pacific Railroad, (S. W. B.).....	66,000
October 16...	Pacific Railroad, (S. W. B.).....	64,000
October 26...	Pacific Railroad, (S. W. B.).....	71,000
Nov. 29...	Pacific Railroad, (S. W. B.).....	52,000
Dec. 1...	Cairo and Fulton Railroad.....	37,000
Total in 1878.....		\$490,000

In the month of April, 1877, the Fund Commissioners, in accordance with the provisions of the funding act of March 29, 1875, by public advertisement, in the manner prescribed by that act, invited proposals for the purchase of an amount of the bonds of this State not exceeding \$838,000. The advertisement was so framed that if the Legislature should make other provisions for paying the State debt which fell due in 1877 and 1878, they would not be required to sell more bonds than they might deem advisable. At the time named in the advertisement—in the month of May—the bids for those bonds were publicly opened by me, in the presence of the Fund Commissioners, such bidders as chose to be present, and other persons. The Legislature having adjourned without making provision for the redemption of the bonds which fell due in 1878, which were in excess of the amount required by the Constitution to be redeemed, the Fund Commissioners did, by my advice and consent, direct that \$838,000 of bonds should be issued, that number having been found necessary to pay maturing bonds of the State. It was found that one party proposed to pay \$1.066 premium per hundred for \$100,000 of bonds, and

his bid was accepted. The bids for the other bonds, being at the rate of about $2\frac{1}{2}$ per cent. premium only, were, by the Commissioners, on my advice, rejected. It was deemed not advisable at that time to re-advertise, but to await proposals for private sale. Such proposals were made shortly thereafter, and accepted by the Commissioners, with my full approval. \$738,000 of bonds were sold at a premium of \$3.235 per \$100, that being the highest and best offer. The total premiums received upon the sale of all those bonds was \$28,051, which was carried to the Sinking Fund, and was at the rate of more than $3\frac{1}{4}$ per cent. premium. I was convinced it was the best price which could then be obtained.

ADDITIONAL REVENUE NEEDED.

At the last session of the Legislature, when the temporary loan of \$250,000 was recommended, by me, I advised steps should then be taken to increase the revenues so that the loan should be paid at its maturity from such increase. For this purpose I recommended a poll-tax of one dollar be imposed on every male person over the age of twenty-one, and if this had been done, the loan then authorized would have been paid, principal and interest, by the revenue from that source. If a poll-tax of one dollar shall be imposed, and the same authority to collect it which the collector now has for the collection of the tax on personal property, I estimate \$300,000 would be collected, and the poll-tax, if authorized, can be added to the assessment list, and placed on the tax-book for this year. More revenue must be raised and expenses must be reduced. But little revenue is derived from dram-shop licenses, and I am satisfied the quantity of spirits used as a beverage has not been diminished much, if any, within the last few years. I recommend the minimum tax to be levied on each dram-shop, for State purposes, be not less than \$50 for every period of six months, (the minimum tax is now \$25,) and that no county, city or town shall impose a greater tax than the State imposes for a dram-shop license. There are dram-shop keepers who pay only from \$50 to \$100 per year for State purposes, and who pay several hundred dollars to the city or town treasuries for a dram-shop license. You are as well able to estimate as I am, whether the property of the State will be valued as high for the collection of taxes this year as for the preceding years. The State is slowly increasing in population, but the value of property has been greatly depressed for the past few years. There are good reasons to believe this period of depression of values has ceased, and that we shall now have prosperous times. Within this State, in the last year, nearly 200 miles of railroad have been put in operation, and means are now being raised to speedily build other railroads

in our State. Such improvements increase the value of property, add wealth to the country, and invite and induce immigration. It is not a pleasant task to invite you to increase the taxes to be borne by the people of the State. But when we consider that the amount of taxes paid to the State is only 40 cents on the \$100, it shows the taxation for State purposes is light. The onerous taxes which the people of this State pay are the county taxes, and taxes for the erection of splendid edifices for school-houses, and interest on county or school indebtedness, recklessly created several years ago, before the great shrinkage of values. The old maxim for all governments, national, State or municipal, is "to pay as you go," and this has been signally disregarded.

The expenditures for the first six months of this year will be very large, and some of them will not occur next year. The pay of the General Assembly is estimated at \$115,000; its contingent expenses, \$50,000; paper for printing, printing reports and documents ordered by the General Assembly, printing journals, and printing and binding the revised code and session acts, \$50,000, (a total of \$215,000;) the temporary loan, \$250,000; and the 25 per cent. of the revenue fund to be paid to the "public school fund," or State School Moneys, in the month of March, and the interest on the State bonds and certificate of indebtedness held by the State as trustee for this fund, will all amount to about \$537,000, which will be drawn from the Treasury, principally in the month of April. The amount paid out of the "public school fund," or State School Moneys, for the corresponding period of time last year, was \$537,306.47. These sums will aggregate one million, one thousand three hundred and six dollars, which the State may be called on to pay on or before the first of July next. The receipts of the revenue during the first six months of this year, together with the balance of the revenue fund, if all of it shall be available, will be insufficient to meet these demands. The temporary loan of \$250,000 must be renewed or extended for a longer period of time. The important duty devolves on you to diminish the expenses of the State, to increase its revenues, and to provide for the renewal of the temporary loan. In such measures as you may devise to accomplish these objects, or any other measures for the welfare of the people of the State, you will have my concurrence and cordial co-operation.

PUBLIC SCHOOL FUND.

The Public School Fund is invested in the bonds and certificate of indebtedness of this State, all bearing six per cent. interest, the income of which, with 25 per cent. of the general revenue of the

State, is applied to the support of public schools. This fund is invested as follows :

Bonds of this State.....	\$2,009,000 00
Certificate of indebtedness.....	900,000 00
Cash in Treasury.....	457 11
<hr/>	
Total.....	\$2,909,457 11

The bonds of the State belonging to this fund are in the custody of the Treasurer. There is nothing to show upon their face that the bonds belong to the State. All of them are coupon bonds, the title to which passes by delivery. If these bonds should be improperly put in circulation, and come into the hands of an innocent holder, I suggest for your consideration whether the State would not be morally bound for their payment. Let us obviate all such questions when it can be so easily done. Direct that all of the coupons shall be destroyed, the bonds canceled by defacing them, and that fact be made of record in the offices of State Auditor and State Treasurer by a description of the bonds and the date they shall become due. Issue certificates of indebtedness to the Public School Fund, bearing interest at the rate of 6 per cent. per annum, and in such amounts as will cause the certificate to become payable at the time the bonds would have become due, and in such manner that the public debt shall not be increased, in violation of the Constitution. Let provision be made that when the certificate shall be redeemable, bonds of the State shall be purchased for this fund, and when delivered to the Treasurer they shall, in like manner, be canceled and certificates of indebtedness issued.

SEMINARY FUND.

There are \$122,000 of the bonds of this State, bearing six per cent interest, in the custody of the State Treasurer. They are coupon bonds, with nothing upon them to denote they are the property of the State. I recommend these bonds be canceled and certificates in lieu thereof be issued, in the same manner and subject to like conditions with the certificates by me recommended to be issued for State bonds held by the Public School fund.

STATE INTEREST AND SINKING FUNDS.

The State Interest fund consists of a tax of one-fifth of one per centum per annum levied and collected on all property subject to taxation. By the provisions of the Constitution, the proceeds of the tax shall be applied to the payment of the interest on the bonded debt of the State as it shall mature, and the surplus, if any, shall be

paid into the Sinking fund, and thereafter be applied to the redemption of the bonded indebtedness of the State. It is also provided the amount paid into the Sinking fund shall be at least \$250,000 annually. The Fund Commissioners have paid the interest on the public debt to the 1st of July last, and have forwarded to the National Bank of Commerce, of New York, an amount sufficient to pay the interest on the bonded debt, payable in that city on the 1st of this month. And there has been paid out of the Sinking fund, in the last two years, \$535,000, for the redemption of the public debt. Part of this money was applied in payment of twenty bonds, with interest, which have not heretofore been reckoned as a part of the debt of the State. The indebtedness of this State on the 1st of January, 1877, was \$17,268,000, instead of \$17,248,000. The indebtedness of the State on the 1st of January, 1879, was \$16,758,000, not including the contingent liability of the State on account of \$3,000,000 of bonds loaned to the Hannibal & St. Joe Railroad Company. This amount does not include the temporary loan of \$250,000 which falls due this year. From the present date to the year 1886, only \$442,000 of the bonds of the State will become due, and the larger part of the amount to be placed in the Sinking fund will be applied to the purchase of bonds before they shall have matured.

RATE OF INTEREST.

In such times of pecuniary embarrassment as we have experienced the last four or five years, and as we are now experiencing, distrust of the solvency of our business men is engendered. Money is, for that reason, difficult to be obtained, and is often loaned at rates exceeding those authorized by law. At this time, in portions of our country, money is plenty, and when loaned, is seldom loaned at rates above seven per cent., and oftentimes for a much less rate. The bonds of the United States, which bear but four per cent. interest, are sought for eagerly. Under existing laws, these bonds have another value besides the long time before they mature, and the punctuality and certainty of payment. It is that they are exempt from State and municipal taxation, which is estimated in the principal cities of the Union where capital is concentrated, as equal to two per cent. per annum. I advise the rate of interest be reduced to six or seven per cent. per annum, and that our laws of usury shall be so changed that the defense of usury shall be of some avail and benefit to the unfortunate debtor. The penalties for usury in this State are made to encourage the loaning of money beyond the lawful rate of interest. In short, our interest law has been enacted in the interest alone of the lender, and not with a due regard to that which is right to both

borrower and lender. It is often said that men should be permitted to contract for the use of money at such rate as they may please to give, and that no tribunal should annul or invalidate contracts. This proposition goes too far, and if carried to its full extent, then all gaming contracts should be enforced and not be declared void.

But the Legislature fixes the rate of interest which it is lawful to receive for the loan of money, and has the right to declare contracts void made for a greater rate of interest than that authorized by law. In this connection I must say the lenders of money in some manner evade the payment of taxes on the money they have loaned. Violating the law relating to interest by exacting more than the law permits them to take, their next evasion or disregard of law is to screen their notes from taxation. There are counties in this State where the recorder's office will show thousands of dollars loaned, and the payment secured by deeds of trust or mortgage deeds unsatisfied, whilst the assessment list will show only a small amount of money loaned. Thus are the revenue laws of the State avoided, and men do not pay taxes in proportion to the value of the property they own.

I trust the Legislature will so provide that all the money which is loaned by citizens of the State in the State, shall be taxed. Perhaps it may be advisable to declare that no judgment shall be rendered on a note or bond for the payment of money or property when by its date or the instrument itself, it is evident it has been liable to taxation, unless the plaintiff shall show it has been assessed for taxation, and if the note has escaped taxation, then the court shall render a judgment in favor of the State for the taxes and penalties which should have been paid by the owner of the note, and which said judgment shall have priority of payment, and be credited on said note.

REVISION.

The statute laws of this State of a general nature must be revised by the Legislature, or a plain and important injunction of the Constitution will be disregarded. The 41st Section of Article 4, of the Constitution provides that within five years after the adoption of the Constitution "all the statute laws of a general nature, both civil and criminal, shall be revised, digested and promulgated in such manner as the General Assembly shall direct." The Constitution was adopted in October, 1875, and became the supreme law of the State on the 30th day of November of that year. It is to be regretted the last Legislature did not provide for a commission of experienced men, learned in the law, who should collate the laws of the State, showing what the general statutes now are, and making suggestions of the alterations and amendments proper and suitable to be made, in order to make

our code of laws as perfect as human wisdom can devise. The attention of the Legislature was called to this subject by myself and by my immediate predecessor. The five years within which this important labor is to be performed will expire this year. The laws of the State have not been revised since 1865, and many important amendments and great changes have been made to the general laws, which are scattered through a dozen volumes of Session Acts. To collate all these and put them in symmetrical shape, in proper and appropriate language where needed, to suggest such amendments as will make the text harmonize and be congruous with the tenor of the law and the intent of the law-makers, will require both skill and time to accomplish. And why should not time be given for this purpose? Wisdom does not consist in the enactment of many laws, nor in frequent changes of them. Where frequent changes of important laws take place, the people do not keep themselves informed of those changes, and we sometimes meet with those who have suffered from the sudden and important changes of law. But few laws are needed. Let them be distinguished for their perspicuity and wisdom. But if bad laws have been placed on the statute book, they ought forthwith to be repealed.

You can not provide for an adjourned session of the Legislature, to which a report could be made by a revising commission, because an adjournment of the Legislature for more than three days is, by the terms of the Constitution, an adjournment *sine die*; but you might pass the general appropriation bill, and a bill for the better regulation of the Treasury Department, and for the security of public moneys, and other bills of like important character, and also provide for the appointment of a revising commission, who should prepare a report by a time to be named or to be designated by the Governor, and when such commission should report to the Governor, the report should be printed, and he should convene the Legislature to revise the general laws of the State—in short, to perform the duty required to be performed by the 41st Section of the 4th article of the Constitution. I do not distrust the capacity of the Legislature to perform the work, but I do believe that in the multifarious duties of its members they will not make as good a revision of the laws as three able jurists of our State can prepare. Therefore, if the Legislature will adjourn *sine die*, after such laws shall have been passed as will meet the present exigencies, it could be convened by proclamation of the Governor to make the revision, and if it should be necessary to pass any laws of an important character during the called session, the attention of the Legislature could be called to the subject by a special message from the Governor, so that legislation could be had. In this

manner an excellent revision can be obtained, and, I believe, with no more expense than if the revision shall be undertaken without the aid of a revising commission. Both sessions of the Legislature would not exceed in their length the period of time designated for a revising session. Or, if this plan shall not meet with approval, a commission to aid in the revision might be in session simultaneously with the Legislature. I deem the method first named the best. The object is to have our laws properly revised, and such labor can not be performed in haste, nor without great care and deliberate consideration. It must be borne in mind the enactment of laws by the General Assembly of this State is a slow process. After a bill shall have been engrossed, it is to be printed before it shall be put upon its passage, and if amendments shall be adopted in the other House, these amendments are also to be printed before final action shall be had, and then every bill, after it shall have been passed by both Houses, shall be read *in extenso* in each House before the respective presiding officers shall attest the passage of the bill by affixing to it their signatures.

SUPREME COURT.

The Supreme Court is now overburdened with business. The judges have arduous and important duties to perform, which require close examination and patient investigation. The business of the court has greatly increased in the last few years, and some relief should be furnished to suitors and to the court. Several plans have been suggested. One is to establish two appellate courts, one on the north side, the other on the south side of the Missouri river, and vest these with power similar to those conferred on the St. Louis Court of Appeals. Another plan is to appoint a commission of able jurists, to which commission cases pending in the Supreme Court shall be referred by that court, and those commissioners shall submit their statement of the cases, with their opinion on the same, to the Supreme Court for confirmation, and judgment to be entered accordingly. And still another plan is to add two more judges to the Supreme Court; then organize the court into two tribunals, from time to time, to consist of at least three judges, and each tribunal may be in session at the same time and place, and the judgment of each tribunal to be the judgment of the Supreme Court. But all the judges shall constitute the court when the constitutionality of an act of the Legislature shall be drawn in question, and in criminal cases where the punishment may be death or imprisonment in the penitentiary for life, and in cases where the amount in controversy shall exceed \$20,000. There will then be one judge who may be detailed to serve on either tribunal in the event of sickness or other inability to serve of one of the judges

The proposition last stated, I think, is preferable. These plans will require the constitution to be amended. The delay attendant on litigation in the Supreme Court amounts almost to a denial of justice. Many cases are taken to the Supreme Court by reason of the delay the judgment debtor will obtain; whereas, if the cases should be speedily determined, fewer cases would be taken to this court. There were 974 cases on the docket of the Supreme Court at the commencement of its October term, 1877, and 430 cases were added to that docket on or before the first day of its October term, 1878. But during that year 427 cases had been disposed of, including a few cases which had been submitted and taken under advisement. And on the first day of its October term, 1878, there were 980 cases, showing the court had been unable to keep up with its business.

COSTS IN CRIMINAL CASES.

There was appropriated for the payment of costs in criminal cases the sum of \$400,000 for the service of the years 1877 and 1878. A portion of this appropriation was expended in the payment of costs in criminal cases, where the fee-bills had been filed with the Auditor a short time before the close of the year 1876. The amount of these fee-bills is estimated at \$13,000, and ought to have been included in the deficiency appropriation. This appropriation of \$400,000 was exhausted in the month of October last, and since that time certificates of indebtedness have been issued on all fee-bills for costs in criminal cases presented for audit to the first day of this month, and which amount to \$41,019.57. Deducting the \$13,000 above named from the \$400,000 appropriated, and adding to that the sum of \$41,019.57, the amount of certificates of indebtedness issued since last October, it makes the amount \$428,019.57, as the amount justly chargeable to the expenditures under that head for the years 1877 and 1878. I had occasion to call the attention of the last Legislature to the large expenditure of money for the suppression of crime and the punishment of criminals. At that time it was urged a reduction of these expenses ought to be made. In former years, when costs in criminal cases had become a large expenditure, it was enacted that when the costs could be and were made from the defendant's property, full costs should be paid; that is, the full fees as prescribed by law; but when the costs were to be paid by the State or by the county, it was provided only one-half of the fees should be paid; and this provision extended to all fees and costs prior to the rendition of the judgment. There was formerly a statute which provided that in all criminal cases there should be a lien on all the property of the defendant for the payment of costs and fine which might be adjudged against him, and which lien

should date from the day of the arrest of defendant, or from the date of the indictment found, whichever might first happen. I advise a similar provision be adopted. Criminals sentenced to the penitentiary are sometimes kept in the jails many days after the judgment and sentence has been rendered, and when no appeal or writ of error is pending. This entails additional expense to the State, for the cost of feeding a convict in the penitentiary is about ten cents per day, whilst in the jails it is fifty cents per day. This unnecessary delay in sending convicts to the penitentiary should be remedied. Besides the appropriation of \$400,000, there was appropriated by the Legislature the sum of \$111,547.99 to pay certificates of indebtedness which were issued in the year 1876, because the appropriation for the payment of costs in criminal cases for the years 1875 and 1876 had been exhausted. The expenses under the head of costs in criminal cases, chargeable in each period of two years for the four years ending on the first of this month, are as follows:

1875—January 1—Balance to credit of appropriation for costs in criminal cases.		\$10,606 69
Appropriation for 1875 and 1876.....		350,000 00
Deficiency appropriation.....		111,547 99
Bills of costs filed with the Auditor prior to January 1, 1877.....		13,000 00
		<hr/>
		\$474,548 68

The two items last mentioned, amounting to \$124,547.99, were disbursed from the Treasury during the year 1877, and were included in the estimates with other liabilities of the State, which compelled the Legislature to authorize the temporary loan. For the service of the last two fiscal years, of the appropriation of \$400,000:

This sum has been disbursed.....	\$387,000 00
Certificates of indebtedness issued to first of this month, under head of costs in criminal cases.....	41,019 57
	<hr/>
	\$428,019 57

Making the sum of but \$428,019.57, the amount of costs paid and certificates issued on bills of costs in criminal cases first presented to the Auditor for audit during the years 1877 and 1878, whilst during the years 1875 and 1876, the sum of \$474,548.68, bills of costs in criminal cases, had been presented to the Auditor, making in four years the following:

1875 and 1876.....	\$474,548 68
1877 and 1878.....	428,019 57
	<hr/>
The sum of.....	\$902,568 25

presented for allowance and audited during that time as the expense paid by the State for the prosecution of criminals.

The money paid from the treasury for the support of the penitentiary during the same years, is as follows:

1875.....	\$104,625 90
1876.....	126,199 92
	<hr/>
	\$230,825 82
1877.....	\$96,010 01
1878.....	51,961 52
	<hr/>
	\$147,971 53

In the cost of maintaining the penitentiary, as here stated, I have not counted the earnings of the prisoners, which have been applied to the support of the prison, but have stated the cash actually paid from the treasury for that object. There was cash paid out of the treasury:

For support of penitentiary four years.....	\$388,787 35
Costs in criminal cases paid by State.....	902,568 25
	<hr/>
	\$1,291,355 60

An annual cost of more than \$322,000 paid by the State for the prosecution and punishment of malefactors. Does any one now wonder that the officers charged with the management of the penitentiary seek to make the convicts work? and if they can not be worked within the walls of the prison, to work them outside? Would not those officers be culpable if they should keep 300 or 400 men locked up in their sells because they could not be worked within the walls of the prison, when there were persons ready to employ them to work outside of the walls and pay the State fair wages for their services? And is it any wonder that the officers of the State government, when the treasury pays so great sums for the prosecution and punishment of criminals, should ask the General Assembly to lessen the costs the State pays? or seek to make criminals help pay the costs of their conviction and punishment? The government of the United States does not pay the costs of the defendant, even though the defendant should be acquitted; and such is the law of several States in the Union. But I do not advise so harsh a remedy. But would it not be a good law, since the defenaant is permitted to testify in criminal cases, that the costs of witnesses who only testify as to the character of the defendant, or who may have been summoned for that purpose, shall not be taxed against the State, nor against the county, in any event whatever? The people demand a reduction of the expenses of our government, municipal, State and National.

CRIMINAL LAW.

I take pleasure in stating to you that the criminal law is, at this time, well executed and enforced in all parts of the State. In a few cases, besides in the "strike" in the summer of 1877, a spirit of turbulence has been manifested. I have, in a few instances, sent Gen. Mitchell, the Adjutant-General, not in his military capacity, but as an attorney, to aid the prosecuting attorney of the county where sent, in the management of such criminal cases as were pending or might arise, with directions to make known to those who were lawlessly inclined that the laws should be enforced and criminals punished; that the whole power of the State was at my command, and if the execution of process and of the law should be resisted, and there was not a sufficient number of good people in the county to enforce the laws, I would find an adequate force elsewhere that would promptly enforce the law and preserve order. The duties of the Attorney-General in the Supreme Court, or in the preparation of his cases, were so urgent that he could not be spared to perform the services I wished to have then rendered. The services of General Mitchell were valuable and efficient, and were rendered without other charge than the payment of expenses. In those counties to which I allude, the law-abiding citizens of the county manifested a readiness to aid the civil officers in the execution of the law and the preservation of public quiet, and I am glad I can announce to you that obedience to the law prevails throughout the State.

THE STRIKE.

In the summer of 1877 there was manifested in many towns and cities in our country, which were railroad centers, a disposition by lawless acts to coerce the railroad companies to increase, or to prevent a reduction of the wages of their employes. Upon many roads all of the employes struck; upon other roads a portion struck and compelled those who were willing to remain to quit their employment. There was but little interference with the trains which carried the mails, but on many roads the running of freight trains was entirely suspended. In some cities these disturbances culminated in the destruction of a large amount of merchandise in transit—of cars and locomotives. In some places the civil authorities invoked the aid of the militia, and a collision between the rioters and the authorities took place, resulting in the loss of life; and in some quarters the authority of the United States was invoked, and soldiers were sent to suppress the riots. Whilst turbulence was manifested, and lawless acts were done in St. Louis and other cities of this State,

the civil authorities improvised some military companies, to be ready for the threatened and impending lawlessness. More than three thousand men were under arms at one time in St. Louis, ready to obey the orders of the civil authorities. Arms and prepared ammunition were publicly issued to the men. Companies, battalions and regiments were formed and organized for the fearful exigency. The promptness and willingness which the good citizens exhibited for the preservation of order, the enforcement of law, and finally to execute such orders as the emergency required should be given, caused the intended insurgents to disperse and to abandon their wicked designs. Quiet was restored in that great city, with no collision between the armed men and the rioters, with no destruction of property, and without the shedding of a single drop of human blood. It was the triumph of law and order over those who strove to inaugurate disorder, violence and bloodshed. But one or two military companies in St. Louis had maintained their organization. During these troubles I repaired to St. Louis. Gen. Mitchell, the Adjutant-General, remained here, in order to supply the authorities in other parts of the State with arms and ammunition when needed. The supply of ammunition belonging to the State was scant. When I found I could obtain from the authorities of the United States such ammunition as I required, I ordered 2,000 stands of muskets and accoutrements to St. Louis. Those guns, accoutrements and ammunition were by my orders issued to citizens who enrolled themselves in military companies at that time for the preservation of the peace of the city. The authorities of the city (after the strike was suppressed) requested me to let some guns remain, as they might be needed. I complied with the request. These guns, accoutrements and ammunition were issued by my orders—by my orders they were permitted to remain in St. Louis, and such as have not yet been issued to the militia are now in the hands of the police reserves. It is probable some of these guns have been lost. The Adjutant-General is responsible for them. All of the articles were issued at a time when forms could not be observed, and they were issued for the public good. If any of the arms and accoutrements can not be produced, I recommend a law be passed to relieve the Adjutant-General from his responsibility, or that his account shall be credited with such arms, etc., as can not be obtained.

THE MILITIA.

The experience of the year 1877 shows the necessity for the organization of the militia. Two battalions and three or four independent companies of the militia are organized in St. Louis; all but two companies have been organized since the strike. A few compa-

nies have been organized in other portions of the State. Of the police reserves I have only to say that as long as those who act as military officers shall be recognized as such, there will be no difficulty. No one is commissioned as such officer. Citizens of St. Louis encouraged opposition to the militia law, and therefore urged the organization of the police reserves, without the sanction of law. But I hope they will organize under the militia law. There are defects in the law, but I trust a patient hearing will be given those who seek to amend the law, and relieve it of some of the obstacles, real or imaginary, which deter patriotic citizens from organizing under it. A bill has been prepared by those who are earnestly engaged in the effort to make the militia law such as it should be. A well regulated militia is the bulwark of defense of our country. Listen, then, I beseech you, to the complaints of the militia men. Modify and change the law, if there shall be no valid objection to the proposition, so as to suit the wishes of those who propose to make it efficient, and who will subject themselves to its government. They deserve all the encouragement you can give them, and I wish it was in the power of the State to do more for them than can now be done.

LOST INSURANCE BILL.

Just at the close of the session of the last Legislature a bill, which originated in the House and which had passed both Houses, and was duly signed by the presiding officer of the Senate and the House, failed to reach the Executive. It was entitled "An act to regulate the forfeiture of policies of life insurance." This bill provided that no policy of insurance on life, after the payment upon it of two full annual premiums, shall be forfeited or become void by reason of the non-payment of premium thereon, but the net value of the policy shall be ascertained, and that sum shall be applied as a premium of temporary insurance. That bill never came into my hands—was never presented to me for approval. I should have approved it. I have endeavored to ascertain who purloined that bill, or prevented it from being presented to me, and have been unsuccessful. I did not know, till inquiry was made, that such a bill had passed. It was never delivered to me by the Clerk of the House of Representatives. I recommend a law be enacted containing provisions similar to those contained in that lost bill, and in addition thereto I advise the criminal law concerning records, etc., belonging to either House of the Legislature, or which may belong to any executive department, be amended so that a more efficient inquiry may be made for the offender than existing laws authorize. And perhaps it may be well to empower the Executive, whenever any paper which belonged to either

House of the Legislature, or which shall have been presented to the Governor, has been lost, destroyed or purloined, that he appoint a commission who may hold sessions anywhere in the State, vested with full power to bring persons before him, and them to examine touching the loss or destruction of the records ; and if, upon inquiry, the guilty party or parties shall be discovered, that the commissioner shall have power to cause him or them to be arrested, and, upon a hearing of the case, if there shall be probable evidence of the guilt of the accused, to recognize the guilty parties to appear before the proper court of the county where the offense was committed, and in default of bail, to commit them to jail to answer to an indictment to be preferred against them.

FISH CULTURE.

By virtue of an act passed by the last Legislature, provision was made for stocking the rivers of this State with fish. Young fish, principally salmon, have been sent to the Commissioner of this State by the Commissioner of the United States, and have been placed in our rivers. A further supply will be sent to this State during this year, and will probably be distributed in other streams. But a small sum of money was appropriated to defray the expenses which might be incurred, and therefore, unless the Legislature shall make a further appropriation for this object, a portion of the expense attendant on the transportation of the small fry must be defrayed by the citizens residing on the streams to be stocked with fish. The object is to stock our rivers with fish which will afford cheap and nutritious food. Fish culture is no longer an experiment. With very little expense and care the supply of fish of a better quality than those which swim in our streams will be largely increased. Before the close of the session, I expect to submit to you a report on this subject from the Commissioner.

THE OSAGE.

The Legislature at its last session appropriated \$2,000 to be expended in removing obstructions to the navigation of the Osage river at Bolton shoals. I was authorized and required to appoint some practical business man, familiar with the character of that river, and having a knowledge of what was necessary to be done to remove the obstruction, to superintend the removal of the bar. By many it was believed that that sum of money was not sufficient to accomplish the work. I appointed Hon. Jos. W. McClurg, who possessed all the qualifications named in the act, to superintend the work. The obstruction to the navigation of the river is removed, and there is at that bar as great a depth of water as there is on the Shipley shoal, below the

Bolton bar. The superintendent made no charge for his personal services in superintending that work, and there is a small balance of the appropriation unexpended. I trust there will be no farther requirement for the State to appropriate its moneys for the improvement of that river, as the United States has made an additional appropriation for that purpose, and will undoubtedly appropriate still further sums, to be disbursed in that direction. The improvement of the navigation of the Osage is a matter of vast importance to the people residing on the banks and in the vicinity of that river.

PROPOSED AMENDMENT TO CONSTITUTION.

The amendment proposed to the Constitution and submitted to the people at the late election was defeated by a large majority. In so far as it sought to add another qualification of suffrage, it very properly met with a strong and decided opposition. No property qualification, nor the payment of a tax, should be required as a prerequisite to exercising the right of suffrage. It is a duty to vote; it is a duty incumbent on all who are entitled to exercise the elective franchise to vote. Better would it be to impose a fine on those who are entitled to vote, and who without reasonable excuse fail to discharge that duty, than to disfranchise those who do not pay taxes. There is no prohibition in the Constitution against the levy of a poll-tax. Therefore, whenever the Legislature shall think proper to impose a poll-tax, to be applied to the support of the schools and institutions of learning, to the support of the State government, or to any other purpose or object not prohibited by the Constitution, it has the right so to do. During the last session of the Legislature I did recommend a poll-tax be levied, to be paid into the Revenue Fund. This recommendation was contained in the message in which I advised a loan be made in order to supply the deficiencies in the revenue. The loan was granted, but no provision was made for additional revenue. A bill for that purpose passed the Senate, but failed to receive the approval of the House.

THE PENITENTIARY.

The maintenance of the Penitentiary has been a very heavy drain upon the treasury. It would seem reasonable to expect the prisoners would not only be able, by their labor, to earn an amount sufficient to support themselves, but also to pay the salaries and wages of the officers and guards of the Penitentiary. But this has not been the case. The leasing system has been tried at different times, and has not proved a success. During the period the prison was first leased,

the lessees made great improvements by erecting buildings and furnishing implements and machinery which were paid for by the State. In this manner the lessees paid the amount stipulated to be paid the State, but had large demands against the State for improvements made by them. The second period of leasing was so recent that it need only be referred to, as all know it was not a success, either to the State or to the lessees. The State has, by its officers in former times, conducted the penitentiary as a large manufacturing establishment, and in so doing has always lost money. It is not advisable for the State to again embark in manufacturing, but it is desirable, if possible, to make the penitentiary a self-sustaining institution. Legislation was proposed in each branch of the General Assembly, at its last session, respecting the management of the penitentiary, but beyond the appropriation of money, and its earnings for its support, nothing was done.

On the 31st of December, 1876, there were in the penitentiary, 1,332 prisoners, convicted for violation of the criminal laws of this State, and 14 convicts sent to the prison by the Federal courts. On the 31st day of last December, there were in the prison, 1,244 convicts of the State, and 50 convicts of the United States. The United States pays for the board and care of its convicts, and the State has the benefit of their labor. During the two years ending on the 31st of December, 1876, thirteen hundred and seventy (1370) prisoners were received, and for the two years ending on the 31st of December, 1878, eleven hundred and sixty-five (1165) prisoners were received, all of whom had been sentenced to the penitentiary by the courts of this State. This shows that, in the two years first named, 205 more persons were convicted and sent to the penitentiary than in the last two years. A rigid enforcement of our criminal laws has diminished the commission of crimes.

When the present Warden took charge of the penitentiary, there were many prisoners who were not employed by contractors, nor were they performing labor for the State. They were in idleness, because no one would employ them, and at that time the State had no work which they could perform. Many convicts were then worked outside the prison walls. Some were employed as servants, in this city; some were employed in grading and macadamizing streets; others at quarries, at lime kilns and brick kilns, at farms, and some on a steamer which navigated the Osage and Missouri rivers. The cost of maintaining the penitentiary had become very great. It was proper and right to put the convicts at hard labor; and if labor could not be provided for them within the walls, it was right to put them at labor without the walls. There was no doubt the law permitted this to be done. The object was to make the prisoners support them-

selves—to shift the burden of the maintenance from the tax-payers to themselves; and was not this right? A contract was made for the labor of convicts in some coal mines. This contract was made by the Inspectors with J. B. Price, and I approved of the same. In the communication of the Inspectors to the House of Representatives, they described the condition of affairs at the penitentiary as follows:

“They beg leave to suggest that there are over six hundred convicts locked up in their cells, whose labor can not be utilized within the penitentiary for want of contractors to employ them. If there were contractors to work them inside of the prison walls, there is not shop room nor facilities for so doing. This large number of idle and non-producing convicts is a very great expense to the State, independent of the immense costs of their trials, convictions and transportations to the prison. They can, they think, make the number let under the contract more than self-supporting, and their desire is to make the penitentiary self-sustaining. Their estimate is that the State will receive over the sum of \$50,000 per annum for the hire of the said convict labor, under said contract, which otherwise would be non-productive.”

But it is said that when the convicts are worked outside of the prison walls their labor comes in competition with the labor of the honest man. Is not this so when the prisoner labors within the prison walls? When the prisoner is worked within the walls he must be employed in some mechanical pursuit; and is not the labor within the walls of the prison, by the convict, then brought in competition with the labor of the mechanics and the skilled workmen of the country? And if we are to prevent convict labor from coming in competition with honest labor, then no labor whatever can be performed by the convict, and he is to be kept in idleness, fed, clothed and guarded at the expense of the honest men of the country. If this is the policy to be pursued by the State, let the law-making power so indicate, and the will of the General Assembly in this respect will be observed. All the officers of the State, in any manner whatever connected with this branch of the public service, have no interest to subserve but the interest of the people of the State; nor are they wedded to the policy which has been pursued. If the prisoners are to be kept within the walls of the prison and only worked there, many of them must remain idle, or the State must forthwith enlarge the prison walls, erect additional workshops, and furnish more motive power for those shops. The financial condition of the State will not permit this to be done, for, whatever number of prisoners may be employed to labor for the State, they will bring no revenue into the treasury, but the treasury must defray the cost of their board, clothing and guard service. And

again, the State must borrow money for this purpose, or greatly reduce the expenditures of the government. But the limit of a temporary loan has already been reached, and the State will be compelled to renew that loan, for a short period of time, and provide additional revenue.

It is well to compare the cost of managing and conducting the prison, and the number of prisoners, for a few years past. The prison, during the term hereinafter mentioned, until June, 1873, was managed and conducted as a manufacturing establishment by the State, and whatever was made by the labor of prisoners was applied to the support of the prison in addition to the money drawn from the treasury. From that date till November 22, 1875, the penitentiary was managed by the lessees, and from the date last named, it has been conducted by the State, and a large portion of the prisoners—as many as could be—were leased to contractors, who worked the prisoners within the walls of the prison, and the proceeds of their labor have been applied to the support of the penitentiary:

STATEMENT OF NUMBER OF STATE AND UNITED STATES PRISONERS REMAINING IN THE MISSOURI PENITENTIARY, AT THE CLOSE OF EACH YEAR, FOR THE TEN (10) YEARS ENDING DECEMBER 31st, 1878.

Remaing in prison.	State.	United States.	Total.	
December 31st, 1869.....	735	735	} No records in the Warden's office by which the number of United States prison- ers can be ascertained.
“ “ 1870.....	797	.....	797
“ “ 1871.....	907	.....	907
“ “ 1872.....	841	.....	841
“ “ 1873.....	897	.....	897
“ “ 1874.....	1,013	56	1,069	
“ “ 1875.....	1,257	21	1,278	
“ “ 1876.....	1,332	14	1,346	
“ “ 1877.....	1,276	23	1,299	
“ “ 1878.....	1,244	50	1,294	

COST OF MAINTAINING THE PENITENTIARY.

For the two years 1869 and 1870.....	\$277,840 21
For the year 1871.....	103,852 15
“ “ 1872.....	150,033 18
“ “ 1873 (leased June, 1873).....	155,105 61
“ “ 1874 (in charge of lessees).....	.....
“ “ 1875.....	104,625 90
“ “ 1876.....	126,199 92
“ “ 1877.....	96,010 01
“ “ 1878.....	51,951 52

On this subject I desire to state facts only. A larger amount has been earned by the labor of prisoners during the past two years than was ever earned before. Those earnings have been applied to the

support and maintenance of the prison. In addition to this, nearly all the labor used in the construction of the court-house was done by prison labor, commencing with the manufacture of the brick and cutting the wood wherewith to burn the brick, and quarrying the rock and erecting the building.

The proceeds of prison labor are as follows for the last three years :

1876.....	\$31,222 90
1877—Labor inside walls.....	\$52,611 94
“ “ Outside “.....	19,259 47—71,871 41
1878—Labor inside walls.....	62,237 05
“ “ Outside “.....	30,042 93—92,279 98

COUNTY AND PROBATE COURTS.

By special laws, made from time to time, we had destroyed the uniformity which once prevailed in the organization and jurisdiction of courts. Particularly was this the case with the county and probate courts. In some counties the county court was composed of seven judges; in some counties of five judges; in others of three judges, and in some counties of one judge only. In some counties, where the court consisted of three judges, the judge of the probate court was ex officio presiding justice of the county court. In all counties the county court had charge of and administered county affairs; in some counties the court was a probate court. With respect to the probate court—or court having probate jurisdiction—in some counties it was composed of one judge, in other counties of three judges. Some of the probate courts had exclusive jurisdiction of all demands against the estates of deceased persons, and other courts had exclusive jurisdiction of small amounts, and concurrent jurisdiction with the circuit courts of larger demands. By the acts of the last Legislature an uniform system of probate and of county courts was established. The county courts are now composed of three judges, and no more, and the compensation is fixed at \$3 per day and mileage, instead of \$5 per day, the former compensation. The per diem cost to a county is now \$9, instead of the sum of \$25, which was the per diem cost in many counties before the change of the law. The saving to the people in the amount paid to the judges of the county court ranges from \$6 to \$16 per day. Another saving in expense was made: the judges being of equal qualifications, three judges will dispose of more business in a day than five judges.

I have no doubt that in many cases the compensation or emoluments of county officers is too great. This is shown by the fact that in some counties candidates proposed to perform the duties of the

office they sought, for a much less compensation than that prescribed by law, and the surplus, if any, they promised should be paid into the county treasury. I recommend, therefore, that you especially inquire into the amount paid to all officers, State or county, and if, in your wisdom and judgment, the compensation or salary is too great, that you regulate such salary or compensation by prescribing a lower and different compensation, wherever it may lawfully be done.

EDUCATION.

The cause of education is increasing, and has received encouragement to the extent of the ability of the State to render, in these times of financial distress. No one proposes to reduce the amount of the revenue which is directed to be set apart for the support of public schools, though this can only be done by amending the Constitution. There is but little doubt the sum to be distributed for the maintenance of the public schools will be an amount about equal to the sum apportioned for the year 1878 for the same purpose. The State University, including the Agricultural College and the School of Mines, is in a prosperous condition. The number of students has considerably increased under the present management. Its able professors, under the guidance of its distinguished president, attract pupils, not only from almost every portion of our State, but also from neighboring States. The Normal schools appear to prosper. Reports from these institutions will be submitted to you in the early part of the session, and to those reports I respectfully refer you for full information of their management. The report of the Superintendent of Public Schools will show you the condition of this branch of education. In connection with this matter, I suggest for your consideration whether it is not advisable to provide that the county public school fund, as well as the congressional township public school funds, shall be invested in the bonds of this State. These funds would have amounted to a much larger sum if suitable care had been taken, and the investments made in the securities of this State.

CHARITIES.

The reports of the charitable institutions, as well as other institutions of this State, are now required to be made to you at an early period of the session. The State has been liberal in providing good and substantial buildings for the uses to which they are applied. They are insufficient to provide for all of the indigent who may be dependent on charity, but the State can not now afford to enlarge those buildings. This State expended last year the sum of \$589,956 for educational purposes, and for charities, \$137,137.

REPEAL OF LAWS.

The act entitled "Indians" was enacted when there were Indians residing immediately on the borders of our State. It was intended to prevent Indians from coming into the State to hunt, and to prevent them from otherwise obtruding on the inhabitants of the State.

The act entitled "An act declaring the silver coins of the United States a legal tender in the State of Missouri," was one of questionable policy at the time it was adopted. It made the half dollars a legal tender for all sums, and the smaller coins of silver a legal tender in limited amounts, whilst by the laws of the United States these subsidiary coins are a legal tender to the amount of \$5, and no more. The silver in the half dollar and the other small coins is of the same purity as in the dollar, but two half dollars do not contain as many grains of silver as the silver dollar contains. I recommend the statutes concerning Indians and making silver coins a legal tender be repealed. The one is of no farther use—the other is now a bad law.

SUIT WITH HANNIBAL AND ST. JOE RAILROAD COMPANY.

By virtue of the provisions of a joint resolution of the last General Assembly concerning the Hannibal and St. Joe Railroad, the Governor, with the concurrence of the Attorney-General, was authorized to employ counsel to enter the appearance of this State to a bill in equity pending in the Supreme Judicial Court of the State of Massachusetts, wherein the said railroad company was the complainant and Sidney Bartlett and other trustees were defendants, for the purpose of closing their trust. It was claimed this State had a lien on the proceeds of the sales of lands, after the extinguishment of a mortgage given in 1856 by the company, and that the surplus proceeds of such sales should be paid into the treasury of the State for the purpose of paying the bonds of this State loaned to the railroad company. The attention of the General Assembly was called to the subject by my predecessor, with the recommendation that the State should enter its appearance to that suit. Under the provisions of the joint resolution an able jurist of the State of Massachusetts—Benjamin P. Thomas—with whom a consultation had been previously held on this subject, was employed to enter the appearance of the State and to attend to its interests. The claim of the State was based on the 18th section of the act of December 10, 1855. The case was heard at the April term, 1877, of said court. The decision was adverse to the claim of this State, as will appear by the following extract from the decree of the court:

"Second. That the only interest of the State of Missouri in the lands conveyed by said trust indentures and in the proceeds of such of said lands as have been heretofore sold, and in the contracts for the sale of any of said lands heretofore made, is under the 18th section of the statutes of the State of Missouri, of the 10th of December, A. D. 1855, which requires the complainant to pay into the treasury of said State the surplus proceeds of all land sales, or such other securities as may be provided by the Hannibal and St. Joseph Railroad Company aforesaid, in a deed of trust or otherwise in a plan to be adopted by said company to raise funds to complete the road. That by the true construction of said statute, no such surplus can be held to exist, except such as would remain after deducting the amount of all expenses and obligations lawfully incurred by the incorporation in completing, equipping and putting in operation its railroad, including: 1. Sums advanced by the corporation to the trustees for expenses of the management, surveying and disposing of the lands granted under the acts of Congress, and included in the deeds of trust, and for taxes thereon, and to satisfy reclamations for bad titles and other incidental expenses. 2. Sums paid by the corporation, either in money or in stock, to discharge the bonds issued by the corporation and secured by the deeds of trust, including the interest on such lands.

"Third. That it is found by the report of the Master, and adjudged by the court, that the whole value of the lands now held under the said deeds of trust, and of all the proceeds of lands sold, and investments of the same, now held by said trustees, is much less than the amount of the deductions aforesaid to which the complainants are entitled, before there will be any 'surplus' to which the right of the State of Missouri can attach."

The sum of \$2,000, which was appropriated to pay counsel for services in that suit, was not drawn from the Treasury, for the court ordered the trustees to pay to Benj. P. Thomas, Esq., out of the proceeds of the land sales in their hands, the compensation to which he was entitled.

SENATOR BOGY.

Since the adjournment of the Legislature, Hon. Lewis V. Bogy, one of our Senators in Congress, departed this life. He was a native of this State, and his life had been devoted to the advancement of the material interests of our State. His eulogy has been pronounced by those more intimately acquainted with him than I, some of whom served with him on that theater, which from his boyhood days it had been his ambition to occupy, and which he did occupy with great credit to himself. It will be your duty to fill his unexpired term, now held by Hon. D. H. Armstrong.

CONCLUSION.

In the matters I have submitted for your consideration, I have not attempted to support them by arguments, but to state the facts and conclusions to which I have been brought by my deliberate judgment, and I trust the result of your deliberations will be to promote the welfare and to increase the prosperity of the people of this State.

JOHN S. PHELPS.

EXECUTIVE OFFICE,

JEFFERSON CITY, Mo., January 9, 1879.

Which was being read, when,

On motion of Mr. Wisby, the the further reading of the message was dispensed with.

Mr. Hall offered the following resolution :

Resolved, That the rules and regulations adopted by the House of Representatives of the Twenty-ninth General Assembly be adopted for the temporary government of this House, which was read.

On motion of Mr. Davis, the House adjourned until 10 o'clock to-morrow morning.

THIRD DAY—FRIDAY, January 10, 1879.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. Mr. Godby.

The journal of yesterday was being read, when,

On motion of Mr. Settles, the further reading was dispensed with.

The Speaker declared nominations for doorkeeper to be in order.

Mr. Bryan nominated Mr. H. E. Moore of Cole.

Mr. Burford nominated Mr. J. C. Wood of Cape Girardeau.

There being no other nominations, the House proceeded to vote, with the following result :

Whole number of votes cast, 126. Necessary to a choice, 64.

The members voting as follows :

FOR MR. MOORE—Messrs. Anderson, Arnold, Bashaw, Berry, Berryman, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chit-

wood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Molt, Cox, Craig, Creager, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hammons, Harrigan, Harrington, Hayes, Haynes, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis, McDaniel, McGarry, McIntyre, McKill, Patterson of Schuyler, Patterson of Linn, Pehle, Phelan, Pollack, Pollard, Powers, Price, Ragan, Rawlings, Saunders, Settles, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Wisby and Mr. Speaker—96.

FOR MR. WOODS—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Crowther, Dade, Dawson, Freed, Gray, Harrison, Ingram, Johnson, Knight, Manistre, Morrison, McElvain, McKinney, Palmer, Pepper, Powell, Riley, Souder, Smith of Cedar, Whitaker, Withers—31.

ABSENT—Messrs. Booth, Brady, Campbell of St. Louis, Dale, Dodson, Hale, Hall, Ham, Lockhart, O'Malley, Organ, Reynolds, Smith of St. Louis, Windes, Younger—15.

SICK—Mr. Crow—1.

Mr. Moore having received a majority of all the votes cast, was declared elected, and was sworn in by the Speaker as doorkeeper.

The Speaker then declared nominations for Official Reporter in order.

Mr. Davis nominated Tennessee Mathews of Cole county.

There being no other nominations, on motion of Mr. Vancleve, Mr. Mathews was elected Official Reporter of the House by acclamation.

Mr. Cox offered the following resolution :

Resolved, That the House now proceed to the election of chaplain ; which was read.

Mr. Dryden offered the following amendment :

Resolved, That the sessions of this House be opened daily with prayer to Almighty God by the pastor of some one of the several christian bodies worshipping in this city, and that all such pastors be and they are hereby invited and requested to perform this service, and that they serve in such alternations as may be convenient and agreeable to themselves ; and

Resolved, further, That the pastors so serving shall, as a whole, receive the compensation of a member of this House, to be appor-

tioned among them according to the time they shall respectively officiate; which was read and not agreed to.

The question recurring upon the passage of the resolution, it was adopted.

The Speaker declared nominations for Chaplain to be in order.

Mr. Davis nominated Mr. Masker of Cole.

Mr. Vancleve nominated Mr. S. V. Pool of Macon.

Mr. Craig nominated Mr. R. T. Morrison of Sullivan.

Mr. McIntyre nominated Mr. John H. Matthews of Cole.

No other nominations being made, the House proceeded to vote, with the following result:

Whole number of votes cast, 134. Necessary to a choice, 68.

The members voting as follows:

FOR MR. MASKER—Messrs. Adams, Andrews, Berryman, Brady, Brewer, Brown, Bryan, Carleton, Chenoweth, Chitwood, Cock, Davis, Dawson, Dilley, Drum, Farr, Finks, Foster, Gwynne, Hall, Ham, Harrigan, Hayes, Haynes, Kendall, Lackland, Lesueur, Long, Lynn, Mabrey, Manistre, Maynard, Morrison, Mudd of St. Louis, McDaniel, O'Malley, Organ, Pollack, Pollard, Powers, Settles, Smith of Cedar, Smith of St. Louis City, Taylor, Tevis, Tiernan, Waggener, Weygandt and Wisby—49.

FOR MR. POOL—Messrs. Alldridge, Anderson, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Burrows, Campbell of Atchison, Coleman, Cowan of Holt, Dale, Dougherty, Ewing, Freed, Greer, Hale, Hammons, Harrington, Hayes, Kneisley, Knight, Larimore, Mackey, Mahn, Miles, Moler, McCormick of Washington, McCormick of St. Louis City, McKill, McKinney, Patterson of Linn, Price, Rawlings, Spring, Swank, Talbot, Turner, Vancleve, Warren, Wiley and Withers—43.

FOR MR. MORRISON—Mr. Craig—1.

FOR MR. MATTHEWS—Messrs. Bashaw, Booth, Bowman, Carroll, Chilton, Cloud, Cook, Collins, Cook, Cooper, Cowan of Christian, Creager, Crow, Dade, Diercks, Dodson, Dryden, Ellis, Harrington, Hubbard, Ingram, Johnson, Lockhart, Louthan, Mott, Mudd of Lincoln, McElvain, McGarry, McIntyre, Palmer, Pehle, Pepper, Phelan, Powell, Ragan, Riley, Saunders, Wells, Whitaker, Windes and Mr. Speaker—41.

ABSENT—Messrs. Arnold, Burford, Crowther, Campbell of St. Louis City, Gray, Patterson of Schuyler, Reynolds, Souder and Younger—9.

Mr. Craig withdrew the name of Mr. Morrison.

Neither of the candidates having received a majority of all the votes cast, Mr. Davis moved that after the next ballot, the name of

the candidate receiving the lowest number of votes be dropped from the list; which was agreed to.

The House then proceeded to vote again with the following result:

Whole number of votes cast, 133. Necessary to a choice, 67.

FOR MR. MASKER—Messrs. Adams, Andrews, Arnold, Berry, Berryman, Brady, Brewer, Brown, Bryan, Carleton, Carroll, Chenoweth, Chitwood, Cox, Davis, Dawson, Dilley, Drum, Farr, Finks, Foster, Freed, Gwynne, Hall, Harrigan, Haynes, Hynes, Ingram, Kendall, Lackland, Lesueur, Long, Lynn, Mabrey, Manistre, Maynard, Morrison, McCormick of Washington, McDaniel, McKinney, O'Malley, Organ, Phelan, Pollock, Pollard, Powers, Settles, Smith of St. Louis City, Taylor, Tevis, Tiernan, Waggener, Weygandt, Wisby—54.

FOR MR. POOLE—Messrs. Alldridge, Anderson, Ballew, Beckner, Bohannon, Bonham, Boulware, Burrows, Campbell of Atchison, Coleman, Cowan of Holt, Dale, Dougherty, Ewing, Greer, Hale, Ham, Harrington, Hayes, Kneisley, Knight, Larimore, Mackey, Mahn, Miles, Moler, McCormick of St. Louis City, McKill, Patterson of Linn, Price, Rawlings, Reynolds, Swank, Talbot, Turner, Vancleve, Warren, Wiley, Withers—39.

FOR MR. MATTHEWS—Messrs. Bashaw, Booth, Bowman, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Craig, Creager, Crowther, Dade, Diercks, Dodson, Dryden, Ellis, Harrison, Hubbard, Johnson, Lockhart, Louthan, Mott, Mudd of Lincoln, McElvain, McGarry, McIntyre, Palmer, Pehle, Pepper, Ragan, Riley, Saunders, Souder, Smith of Cedar, Wells, Whitaker, Windes, and Mr. Speaker—40.

ABSENT—Messrs. Burford, Gray, Hammons, Mudd of St. Louis, Patterson of Schuyler, Younger, Powell, Spring, Campbell of St. Louis—9.

SICK—Mr. Crow—1.

Neither of the candidates having received a majority of all the votes cast, under the rule the name of Mr. Poole was dropped.

The House then proceeded to vote, with the following result:

Whole number of votes cast, 134. Necessary to a choice, 68.

FOR MR. MASKER—Adams, Alldridge, Arnold, Ballew, Berry, Berryman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cowan of Holt, Davis, Dawson, Dilley, Drum, Farr, Finks, Foster, Gwynne, Hall, Harrigan, Haynes, Hynes, Johnson, Kendall, Lackland, Lesueur, Long, Lynn, Mabrey, Manistre, Maynard, Miles, Morrison, Mudd of St. Louis, McCormick of Washington, McDaniel, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Smith

of Cedar, Smith of St. Louis, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Wisby—65.

FOR MR. MATTHEWS—Messrs. Anderson, Andrews, Bashaw, Beckner, Bohannon, Bonham, Booth, Boulware, Bowman, Burrows, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Creager, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Dryden, Ellis, Ewing, Freed, Greer, Hale, Hammons, Harrington, Harrison, Hayes, Hubbard, Ingram, Kneisley, Knight, Larimore, Lockhart, Louthan, Mackey, Mahn, Moler, Mott, Mudd of Lincoln, McElvain, McGarry, McIntyre, Patterson of Linn, Pehle, Pepper, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Spring, Talbot, Wells, Whitaker, Windes, Withers, Mr. Speaker—69.

ABSENT—Messrs. Burford, Campbell of St. Louis, Craig, Gray, Ham, McCormick of St. Louis, Palmer, Younger—8.

SICK—Mr. Crow—1.

Mr. Matthews having received a majority of all the votes cast, was declared elected Chaplain of the House.

Mr. Van Cleve offered the following resolution :

Resolved, That the rules of the Twenty-ninth General Assembly be adopted for the government of this body ; which was read.

Mr. Campbell of St. Louis offered the following substitute :

Resolved, That the rules for the government of the House of Representatives, and the joint rules of both Houses of the Twenty-ninth General Assembly, be, and they are hereby adopted as the rules of this House and of the two Houses respectively ; which was read and adopted.

Mr. Davis offered the following resolution :

Resolved, That the Chief Clerk be instructed to inform the Senate that the House is now fully organized, and ready to proceed under section 3 of article 5 of the Constitution, to open and publish the returns of the late election for Superintendent of Public Schools, and the Senate is respectfully invited to meet in the hall of the House, immediately, to open and publish said returns, in joint session ; which was read and adopted.

Mr. Wells offered the following resolution :

Resolved, That a committee of five be appointed to inquire and report to the House what clerks, pages, messengers and other employes are necessary for the transaction of the business of the House, and what rate of compensation ; which was read and adopted.

The Speaker appointed as said committee :

Messrs. Wells, Pollock, Arnold, Kneisley and Anderson.

Mr. Carleton offered the following resolution :

Resolved, That 4,000 copies of the message of the Governor, John S. Phelps, be printed—3,000 in the English, and 1,000 in the German language; which was read.

Mr. Mudd, of St. Louis, offered the following amendment:

Amend by striking out 3,000, and inserting 10,000 in lieu thereof, and by striking out 1,000, and inserting 3,000 in lieu thereof; which was read and not agreed to.

The question recurring on the resolution, it was adopted.

The hour for a joint session having arrived, the Senate entered the hall of the House of Representatives, with its officers.

The joint session was called to order by Mr. Brockmeyer, President.

President Brockmeyer then ordered a call of the Senate roll.

The Secretary of the Senate called the roll, when the following Senators answered to their names:

Messrs. Ballingal, Bradley, Burkeholder, Byrns, Cabell, Caldwell, Claiborne, Coleman, Cottey, D'Armond, Douchouquette, Edwards of Lafayette, Edwards of St. Charles, Gottschalk, Headlee, Heaston, Hockaday, Lakenan, Lloyd, Mackey, Major, Maning, Morrisson, Murray, Naylor, Parrish, Parsons, Perkins, Phelan, Read, Walker, Wallace, Wilson—33.

ABSENT—Mr. Hudson—1.

Mr. Speaker then ordered a call of the House roll.

The Clerk of the House called the roll, when the following members answered to their names.

Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hayes, Haynes, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Long, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis, Spring, Swank, Talbot,

Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—139. .

ABSENT—Messrs. Boulware, Carroll and Ham—3.

SICK—Mr. Crow—1.

Mr. Campbell of St. Louis moved that two tellers on the part of the House, and one teller on the part of the Senate be appointed by the President to assist the Speaker in opening and publishing the returns, which was agreed to.

The President appointed as said tellers Messrs. Campbell of St. Louis and Davis, of the House, and Phelan of the Senate.

A quorum being present, the Speaker of the House, in the presence of the joint session, proceeded to open and publish the result of the election held on the 5th day of November, A. D. 1878, for the office of Superintendent of Public Schools.

The tellers having canvassed the vote, made the following report to the House, of the result of said election :

We hereby certify that from the returns of the election held on the 5th day of November, A. D. 1878, for the office of Superintendent of Public Schools and Constitutional Amendment for poll-tax for school purposes :

For Superintendent of Schools,

	Votes.
Richard D. Shannon received.....	189,959
Roderick Baldwin received.....	88,125
E. R. Booth received.....	51,697
J. M. Greenwood received.....	5,707
Scattering.....	—

For Constitutional Amendment for school purposes,

	Voters.
YES.....	30,035
NO.....	249,983

R. A. CAMPBELL,
SAMUEL DAVIS,

Of the House of Representatives,

M. H. PHELAN,

Of the Senate.

Tellers.

The returns having been announced, the Speaker declared Richard D. Shannon duly elected as Superintendent of Public Schools of the State of Missouri for the term of four years, he having received the highest number of votes cast for said office at the general election, held November 5, A. D. 1878, as shown by the returns of said election just opened and published.

On motion of Mr. Davis, the joint session was dissolved, and the Senate retired to its chamber.

The House was called to order by the Speaker.

Mr. Davis introduced bill No. 1, entitled, an act relating to the State Treasury, which was read the first time and laid over.

Mr. Taylor offered the following preamble and resolution :

WHEREAS, Statements with reference to the present status of the State Treasury, tending to reflect discredit upon its management, having been most publicly circulated, and,

WHEREAS, It is the sense of this House that such rumors should be most fully investigated, and, if true, all persons responsible therefor and deserving of punishment, should be prosecuted to the fullest extent of the law ; therefore be it

Resolved, That the Speaker appoint a committee of five members of this House, whose duty it shall be to make a full and searching investigation into the present condition of the State Treasury, and report to this House what funds are now in the hands of the Treasurer, subject to the warrants of the State, where, in what amounts and upon what security monies of the State and evidences of indebtedness belonging to it have been on deposit since the 1st day of January, 1877, what security the State now has for the safe-keeping of its funds, and whether the affairs and management of the Treasury of the State have been kept according to law since said time.

Resolved, That to the end that such investigation may be most thorough, said committee, when so appointed, shall have power to call before it witnesses, to send for books and papers and to employ such clerical assistance as may be necessary ; provided, however, that such employment shall first be reported to this House for approval ; which was read.

Mr. McCormick of St. Louis moved that the resolution be postponed until Thursday next.

The question being upon the motion to postpone, and a call of the roll being demanded by five members, the motion was not agreed to by the following vote :

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Berryman, Bohannon, Brown, Campbell of Atchison, Campbell of St. Louis, Carleton, Chilton, Cooper, Cowan, Creager, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Freed, Gwynne, Hale, Hammons, Harrison, Kendall, Kneisley, Larimore, Long, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis, McElvain, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle,

Phelan, Pollock, Pollard, Powers, Ragan, Reynolds, Souder, Spring, Swank, Talbot, Tevis, Vancleve, Wiley, Wisby and Mr. Speaker—64.

NOES—Messrs. Anderson, Andrews, Bashaw, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crowther, Dade, Davis, Dilley, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hall, Haynes, Harrigan, Hubbard, Hynes, Ingram, Johnson, Knight, Lackland, Lesueur, Lockhart, Louthan, Mahn, Maynard, Miles, Mudd of Lincoln, McDaniel, McGarry, McKinney, Patterson, Pepper, Powell, Price, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis, Taylor, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes and Withers—72.

ABSENT—Messrs. Berry, Boulware, Ham, Harrington, Tiernan and Younger—6.

SICK—Mr. Crow—1.

The question recurring upon the resolution, it was adopted.

Mr. Powell introduced a concurrent resolution, in relation to the repeal of the resumption act and the further issue of paper money; which was read the first time and laid over.

Mr. McCormick of St. Louis offered the following resolution:

Resolved, That the Commissioner of Permanent Seat of Government be hereby instructed to procure forthwith two heaters for the use of this hall; which was read and adopted.

Mr. Powell introduced a bill entitled, An act to revise and amend chapter 77, as published in Wagner's Statutes of Missouri, volume 1, page 782 and 783, in relation to interest; which was read the first time and laid over.

On motion of Mr. McDaniel, the House adjourned until Monday morning at 10 o'clock.

FOURTH DAY.—MONDAY, January 13, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Friday was being read when,

On motion of Mr. Davis, the further reading was dispensed with.

Mr. Carleton offered the following resolution :

Resolved, That an additional five thousand (5000) of the message of Governor John S. Phelps be printed in English for the use of the House ; which was read.

Mr. Long moved that the resolution be indefinitely postponed ; which was agreed to.

Mr. Riley offered the following preamble and resolution :

WHEREAS, There is great financial stringency among the people of the whole country, and especially among the people of Missouri, and

WHEREAS, The burdens of taxation are greatly due to our bonded indebtedness, which knows no shrinkage and must be provided for by law, and as the amount of our annual taxation is greatly in disproportion to the value of all agricultural, manufacturing and other products of labor, and

WHEREAS, Coming fresh from the people, as we do, to whom we pledged ourselves to be in favor of, and aid in, all legislation that will tend to lessen the burdens of taxation ; therefore, be it

Resolved, That this House is in favor of such retrenchment in all the departments of government as will reduce the burdens of taxation, and in all our legislation we will ever keep before our minds the interests of the great laboring classes of our State ; which was read and adopted.

Mr. Lackland offered the following resolution :

Resolved, That a special committee of three be appointed to inquire into the expediency and cost of heating this hall by steam, or by some other approved method, and that such committee be authorized to call in the aid of experts in such inquiry ; which was read.

Mr. Pehle moved to lay the resolution on the table ; agreed to.

Mr. Patterson of Schuyler offered the following resolution :

WHEREAS, The mail matter coming to the members of this House, often contains valuable matter, and should be carefully handled by an exceedingly competent person, therefore, be it

Resolved, That the person receiving the appointment of postmaster, shall be vouched for by the Speaker as a sober, faithful and trusty person.

2. The person receiving the appointment of postmaster, before delivering any mail matter to any page, shall put the number of member's desk on such mail matter.

3. No page shall leave any mailed matter at the desk of any member, unless the member is in his seat to receive it ; which was read and adopted.

Mr. Burrows offered the following resolution :

Resolved, That the Speaker of the House is hereby authorized to appoint a committee of thirteen, one from each congressional district, whose duty it shall be to inquire into the utility and practicability of re-enacting the Township Organization Law, which was repealed by an act of the Twenty-Ninth General Assembly, and approved March 5th, 1877, and to report by bill or otherwise, to this House, at an early day; which was read and not adopted.

Mr. Dawson offered the following resolution :

Resolved, That the Committee on Printing be directed to have two hundred and fifty (250) copies of the " Rules and Orders " adopted for the government of this House printed, and that each member thereof be furnished with a copy of said rules; which was read and not adopted.

Mr. Waggener offered the following resolution :

Resolved, That the expediency and necessity of a proper ventilation of this Hall, also be taken into consideration by the committee on heating the same; which was read and adopted.

Mr. Wells offered the following resolution :

Resolved, That the Secretary of State be requested to furnish any member, who shall apply to him, with a copy of the General Statutes of Missouri, and also such session acts as any member may desire, provided such books are on hand; which was read and adopted.

Mr. Lackland presented memorial and petition from the citizens of St. Charles county, in relation to the costs in criminal cases; which was read and referred to the Committee on Criminal Jurisprudence.

Mr. Collins presented a petition from the citizens of Lafayette county, in relation to the salaries of county officers; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Finks introduced concurrent resolution, entitled joint and concurrent resolution, declaring the present session of the Legislature the Revising Session, as provided in article 4, section 41 of the Constitution of the State of Missouri; which was read the first time, and laid over.

Mr. Bryan introduced joint and concurrent resolution instructing our Senators, and requesting our Representatives in Congress, to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war; which was read the first time, and referred to the Committee on Federal Relations.

Mr. Lackland introduced a joint and concurrent resolution, in relation to the appointment of a committee to revise the Statutes of the State of Missouri; said committee to be composed of one member from the Senate, two members from the House and two good and competent jurists from the State; which was read and referred to the Committee on Judiciary.

Mr. Palmer introduced bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; which was read the first time, and laid over.

Mr. Anderson introduced bill No. 4, entitled An act to provide for the infliction of corporal punishment in certain cases; which was read the first time, and laid over.

Mr. Lesueur introduced bill No. 5, entitled An act to define grand larceny, and to increase the maximum of petit larceny to fifty dollars; which was read the first time, and laid over.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into, and passed the Senate, Senate joint and concurrent resolution No. 1, in relation to revising the statutes, in which the concurrence of the House is respectfully requested; which was read.

Mr. Bonham introduced bill No. 6, entitled An act to consolidate the offices of county collector and county treasurer, and to fix the compensation thereof; which was read the first time, and laid over.

Mr. Wells introduced bill No. 7, entitled An act to amend chapter 98 of the General Statutes of Missouri, entitled "Of dramshop keepers and their licenses;" which was read the first time, and laid over.

Mr. Larimore introduced bill No. 8, entitled An act to regulate the compensation of circuit clerks of circuit courts and ex officio recorder; which was read the first time and laid over.

Mr. Lackland introduced bill No. 9, entitled An act to amend Section 22 of Article I. of Chapter 38 of Wagner's Statutes of Missouri, relating to costs in civil cases; which was read the first time and laid over.

Mr. Warren introduced bill No. 10, entitled An act in relation to salaries of certain officers; which was read the first time and laid over.

Mr. Brown introduced bill 11, entitled An act to provide for correcting and perfecting the laws of this State; which was read the first time and laid over.

Mr. Finks introduced bill No. 12, entitled An act entitled an act for the better protection of the State school fund; which was read the first time and laid over.

Mr. Arnold introduced bill No. 9, entitled An act relating to the assignment of the bonds of the counties, cities and towns of the State, in order to give jurisdiction to the United States courts, and to punish the same; which was read the first time and laid over.

Mr. Kneisley introduced bill No. 14, entitled An act for the punishment of rape; which was read the first time and laid over.

Mr. Hall introduced bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court; which was read the first time and laid over.

Mr. Campbell of St. Louis introduced bill No. 16, entitled An act to provide a jury system in cities having over 50,000 inhabitants; which was read the first time and laid over.

Mr. Organ introduced bill No. 17, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs; which was read the first time and laid over.

Mr. Taylor introduced bill No. 18, entitled An act to amend an act entitled married women; which was read the first time and laid over.

Mr. Bonham introduced bill No. 19, entitled An act to amend section twenty of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 20, entitled An act to regulate the rate of interest; which was read the first time and laid over.

Mr. Dodson introduced bill No. 21, entitled An act to repeal an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of Railroad Commissioners, approved March 29, 1875; which was read the first time and laid over.

Mr. Wells, from Special Committee, made the following report:

MR. SPEAKER: Your committee to which was referred the matter of inquiring into and reporting to this House the number of clerks and other employes necessary for the transaction of the business of the House, and at what compensation, beg leave to report, that after diligent inquiry, do hereby recommend the following:

One Minute Clerk, one Resolution Clerk, five Copying Clerks, two Docket Clerks, five Journal Clerks, one Postmaster, one Folder, each at \$5 per day; one Assistant Folder, two Messengers, one Night Watch, two men to build fires, light lamps and do other necessary

work inside hall, each at \$2.50 per day; five Pages, each at \$2 per day. All the above to be appointed by and under the control and supervision of the Chief Clerk. One Speaker's Page at \$2 per day, to be appointed by the Speaker. Five men at \$2.50 per day each, to clean the hall, carry wood and coal, carry water and do such other work as may be necessary, to be under the direction of the Door-keeper; which was read and adopted.

Mr. Larimore presented the biennial report of the Commissioners of the Deaf and Dumb Asylum at Fulton; which was received.

Mr. Carleton introduced bill entitled An act to amend section 9 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; which was read the first time and laid over.

Mr. McIntyre called up Senate resolution No. 1, in relation to revising the Statutes; which was read first, second and third times, and passed.

Mr. Campbell moved that the House adjourn until 9½ o'clock tomorrow morning; which was not agreed to.

On motion, the House took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

The Speaker in the chair.

Leave of absence was granted to Mr. Vancleve for one day.

Mr. Ham was reported sick.

Mr. Dale moved a reconsideration of the report of the Special Committee appointed to ascertain the number of clerks and employes necessary for the transaction of the business of the House.

The ayes and nays being demanded on the motion to reconsider, it was not agreed to by the following vote:

AYES—Messrs. Alldridge, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Burford, Burrows, Cloud, Collins, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Dodson, Ewing, Gray, Greer, Harrington, Ingram, Knight, Lockhart, Lynn, Manistre, Miles, Moler, Morrison, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pehle, Pollard, Powell, Powers Price, Reynolds, Souder, Turner, Warren and Whitaker—49.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Berryman, Boulware, Brady, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cooper, Cowan

of Holt, Cox, Crowther, Davis, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Long, Louthan, Mabrey, Mahn, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McDaniel, McElvain, McGarry, McIntyre, O'Malley, Pepper, Phelan, Pollock, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis City, Spring, Swank, Talbot, Taylor, Tevis, Waggener, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—84.

ABSENT—Messrs. Campbell of St. Louis, Ham, Mackey, Patterson of Schuyler, Smith of Cedar, Tiernan, Vancleve, Withers and Younger—9.

SICK—Mr. Crow—1.

Mr. Withers was reported sick.

Mr. Younger was reported sick.

Mr. Saunders submitted the biennial report of the officers of Lunatic Asylum No. 2; which was received.

Leave of absence was granted Mr. Mackey for three days.

The Speaker submitted the biennial report of the Trustees of Lincoln Institute; which was received.

The Speaker submitted the biennial report of the Board of Regents of the State Normal School, at Kirksville, Missouri; which was received.

On motion of Mr. Davis, the House adjourned until 9:30 o'clock to-morrow morning.

FIFTH DAY—TUESDAY, January 14, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read when,

On motion of Mr. Lesueur, the further reading was dispensed with.

Mr. Bryan offered the following resolution:

Resolved, That the Chief Clerk be instructed to have two hundred copies of the rules of this House published in pamphlet form,

the same, to include the joint rules of both houses, together with a list of the House committees, and that he distribute the same to the members of the House; which was read.

Mr. Foster offered the following substitute:

Resolved, That a committee of five be appointed by the Chair, to revise the Rules for the government of the House, and report them and superintend the publication of two hundred and fifty copies; which was read and adopted.

Mr. Cook offered the following resolution:

Resolved, That a committee of five be appointed by the Speaker, who shall, at as early a day as practicable, inquire into the expediency of reorganizing the Judicial Circuits of the State, and reducing the number thereof; read and not adopted.

Mr. Burrows offered the following resolution:

Resolved, That the Speaker of this House be requested to enlarge the Committee on Agriculture to thirteen members, and the Committees on Retrenchment and Reform and Roads and Highways to eleven members each, so that the farmers may have a fuller representation; which was read and adopted.

Mr. Larimore offered the following resolution:

Resolved, That the special committee on printing messages, reports, etc., when such committee shall be formed, are hereby directed to have 3,500 copies of the report of the commissioners of the Deaf and Dumb Asylum No. 1, at Fulton—2,000 for the use of the institution, and 1,500 for the use of the members and the appendix; which was read and not adopted.

Mr. Mott offered the following resolution:

WHEREAS, By the adoption of the Scheme and Charter, the city and county of St. Louis have become separated and independent of each other; therefore be it

Resolved, That the Speaker and clerk distinguish between the members from the two places, in calling their names, by adding after name of each, the words "from the city of St. Louis," or "St. Louis county," as the case may be; which was read.

Mr. Arnold moved to refer the resolution to the special Committee appointed to revise the rules of the House; which was agreed to.

Mr. Cook offered the following:

Resolved, That the Committee on Retrenchment and Reform be and is hereby instructed diligently to inquire into what offices, State or county, can be dispensed with without detriment to the public interests, and report to the House as early as practicable; which was read.

Mr. Burrows offered the following amendment :

And what reduction in salaries; which was read and agreed to.

The question recurring on the resolution as amended, it was adopted.

Mr. Spring presented a petition from citizens of Cass County, in relation to submitting to a vote of the people, an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within this State; which was read.

Mr. Bryan introduced joint and concurrent resolution in regard to the sale of leaf tobacco; as effected by the revenue laws of the United States, enacted June 6, 1872; read first time and laid over.

Mr. Taylor introduced bill (No. 23,) entitled An act to provide for the non-forfeiture of Life Insurance and Endowment Policies; which was read the first time and laid over.

Mr. Price introduced bill No. 21, entitled An act entitled an act to abolish the office of prosecuting attorney, and provide for the election of circuit attorney; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 25, entitled An act supplementary to an act entitled an act in relation to roads and highways, etc., approved April 27, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 26, entitled An act to regulate the fees of the collector of the State and county revenue; which was read the first time and laid over.

Mr. Palmer introduced bill No. 27, entitled An act to amend section 1 of an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; which was read the first time and laid over.

Mr. McKinney introduced bill No. 28, entitled An act to amend section 2 and section 3 of an act entitled an act to prevent domestic animals from running at large in those counties which, by majority vote, may decide to agree thereto, approved March 20th, 1873; which was read the first time and laid over.

Mr. Berryman introduced bill No. 29, entitled An act entitled an act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13th, 1877; which was read the first time and laid over.

Mr. Dilley introduced bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing

all acts and parts of acts inconsistent therewith, approved April 28th, 1877; which was read the first time and laid over.

Mr. Finks introduced bill No. 31, entitled An act entitled an act for the suppression of petty thefts and certain misdemeanors, by the establishment of whipping post; which was read the first time and laid over.

Mr. Saunders introduced bill No. 32, entitled An act entitled an act to repeal an act entitled "Indians," approved March 13th, 1866; which was read the first time and laid over.

Mr. Ewing introduced bill No. 33, entitled An act to amend the school law; which was read the first time and laid over.

Mr. Arnold introduced bill No. 34, entitled An act to amend sections 9 and 11 of chapter 191 of the general statutes of Missouri; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 35, entitled An act to amend section 23, chapter 200, General Statutes, being section 23, article 2, chapter 42, of Wagner's Statutes; which was read the first time and laid over.

Mr. Berry introduced bill No. 36, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11th, 1877; which was read the first time and laid over.

House bill No. 1, entitled An act relating to the State Treasury, was called up, read the second time, and on motion, referred to the Committee on Ways and Means.

House bill No. 2, entitled An act to revise and amend chapter 77, as published in Wagner's Statutes of Missouri, volume 1, pages 782 and 783, was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13th, 1877, was called up, read the second time, and, on motion, referred to Committee on Agriculture.

House bill No. 4, entitled An act to provide for the infliction of corporal punishment in certain cases, was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 5, entitled An act to define grand larceny and to increase the maximum of petit larceny to fifty dollars, was called up, read the second time and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 6, entitled An act to consolidate the offices of county collector and county treasurer, and to fix the compensation

thereof, was called up, read the second time and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 7, entitled An act to amend chapter 98 of the General Statutes of Missouri, entitled dram-shop keepers and their licenses, was called up, read the second time and, on motion, referred to the Committee on Ways and Means.

House bill No. 8, entitled An act to regulate the compensation of circuit clerks and ex-officio recorders, was called up, read the second time and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 9, entitled An act to amend section 22 of article 1 of chapter 38 of Wagner's Statutes of Missouri, relating to costs in civil cases, was called up, read the second time, and, on motion referred to the Committee on Judiciary.

House bill No. 10, entitled An act in relation to salaries of certain officers, was called up, read the second time and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 11, entitled An act to provide for correcting and perfecting the laws of the State, was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House bill No. 12, entitled An act for the better protection of the State School fund, was called up, read the second time and, on motion, referred to the Committee on Ways and Means.

House bill No. 13, entitled An act relating to the assignment of the bonds of counties, cities and towns of this State, in order to give jurisdiction to the United States courts, and to punish the same, was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House bill No. 14, entitled An act for the punishment of rape, was called up, read the second time and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court, was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House bill No. 16, entitled An act to provide a jury system in cities having over 50,000 inhabitants, was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House bill No. 17, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, was called up, read the second time and, on motion, referred to the Committee on Agriculture.

House bill No. 18, entitled An act to amend an act entitled married women, was called up, read the second time and, on motion, referred to the Committee on Insurance.

House bill No. 19, entitled An act to amend section twenty of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 20, entitled An act to regulate the rate of interest, was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 21, entitled An act to repeal an act entitled an act to regulate the charges of railroad companies, and providing for the appointment of railroad commissioners, approved March 29, 1875, was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 22, entitled An act to amend section 9 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877, was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House concurrent resolution No. 1, in relation to the repeal of the resumption act, the further issue of paper money, and the legal tender properties of silver coin, was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House joint and concurrent resolution No. 2, entitled Joint and concurrent resolution declaring the present session of the Legislature the revising session, as provided in article 4, section 41 of the Constitution of the State of Missouri, was called up, read the second time and, on motion, referred to the Special Committee on Revision.

House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our senators and representatives in Congress to favor the passage of an act giving pensions to surviving soldiers of the Mexican war, was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

The Speaker announced the following standing committees of the House :

Committee on Judiciary:

Messrs. McIntyre, Dryden, Campbell of St. Louis, Lackland, Arnold, Wiley, Mabrey, Booth and Gwynne.

Committee on Ways and Means:

Messrs. Davis, Dawson, Berryman, Settles, Wells, Tiernan, Bryan, Finks, Dilley and Harrington.

Committee on Banks and Corporations:

Messrs. Campbell of St. Louis, McDaniels, Saunders, Kendall, Miles, Hubbard and Alldridge.

Committee on Federal Relations:

Messrs. Collins, Wiley, Carleton, Booth, Lesueur, Farr and Brown.

Committee on Education:

Messrs. Farr, Cowan of Holt, Taylor, Chenoweth, Lackland, Spring, Bonham.

Committee on Internal Improvements:

Messrs. Wisby, Cock, Chilton, Campbell of Atchison, Finks, Cox, Dale, Brewer, Pollard, Diercks, Maynard, Mahn and Dade.

Committee on Militia:

Messrs. Foster, Vancleve, Hubbard, Wisby, Cloud, Younger, and Smith of Cedar.

Committee on Criminal Jurisprudence:

Messrs. Hall, Bashaw, Anderson, Taylor, McCormick of St. Louis, Haynes and Pepper.

Committee on Justices of the Peace:

Messrs. Pollock, Haynes, Louthan, Carleton, Foster, Hynes and McGarry.

Committee on Library:

Messrs. Taylor, Booth, Riley, Ewing, Cox, Craig and Tevis.

Committee on Agriculture:

Messrs. Moler, Mudd of St. Louis, Larimore, Coleman, Cook, Cowan of Christian, Adams, Diercks, Ewing, Harrison, Anderson, Pollard and Andrews.

Committee on Manufactures:

Messrs. Greer, Tiernan, Powell, Creager, Crow, Mahn and Kendall.

Committee on Roads and Highways:

Messrs. Tevis, McKill, Harrison, Mackey, Mudd of Lincoln, Miles, Boulware, Chitwood, Berry, Ingram and Gray.

Committee on Claims:

Messrs. Wells, O'Malley, Pollard, Ragan, Crowther, Swank and Talbot.

Committee on Elections:

Messrs. Bashaw, Arnold, Cowan of Holt, Drum, Chilton, McCormick of Washington, and Pepper.

Committee on Accounts :

Messrs. Vancleve, Cox, Dougherty, Warren, Lynn, McCormick of St. Louis and Weygandt.

Committee on Revised and Unfinished Business :

Messrs. Organ, Wyndes, Price, Ellis, Cooper, Whitaker and Smith of Cedar.

Committee on Enrolled Bills :

Messrs. Freed, Taylor, Pehle, Powell, Bohannon, Ham and Dale.

Committee on Engrossed Bills :

Messrs. Haynes, Smith of St. Louis, Hayes, Foster, Hammons, Knight and Johnson,

Committee on Local Bills :

Messrs. Ragan, Reynolds, Phelan, Coleman, Long, Ballew and Morrison.

Committee on Swamp Lands :

Messrs. Carleton, Creager, Dawson, Hale, Manistre, Long and Souder.

Committee on Deaf and Dumb and Lunatic Asylums :

Messrs. Riley, Larimore, O'Malley, Moler, Collins, Haynes and Ellis.

Committee on Blind Asylum :

Messrs. McCormick of St. Louis, Dodson, Cock, Pollock, Powell, Manistre and Knight.

Committee on Benevolent and Scientific Institutions :

Messrs. Cowan of Holt, Lackland, Kendall, Arnold, Powers, Adams and Dade.

Committee on Penitentiary :

Messrs. Lesueur, Bashaw, Settles, Harrison, Kniesley, Pehle and Diercks.

Committee on Permanent Seat of Government :

Messrs. Cox, Ewing, Louthan, Palmer, Brady, Maynard and Price.

Committee on Immigration :

Messrs. O'Malley, Turner, Withers, Beckner, Harrigan, McIlvain and Phelan.

Committee on Public Printing :

Messrs. Organ, Craig, Lesueur, McKill, Brady, Creager and Lockhart.

Committee on Mines and Mining :

Messrs. Bowman, Dale, Maynard, Pollard, Mahn, Chitwood and Palmer.

Committee on Insurance:

Messrs. Louthan, McKill, Tiernan, Bashaw, Patterson of Linn, Mott and Harrington.

Committee on Township Organization:

Messrs. Waggener, Rawlings, Patterson of Schuyler, Crow, Burrows and Boulware.

Committee on Retrenchment and Reform:

Messrs. Anderson, Warren, Wells, Turner, Berry, Burford, Carroll, Rawlings, Adams, Hammonds and Johnson.

Committee on State University:

Messrs. Kniesley, Dryden, Dawson, Rawlings, Booth, Waggener and Mudd of St. Louis.

Committee on Constitutional Amendments:

Messrs. Dryden, Wiley, Lackland, Hayes, Palmer, Gwynne and Mabrey.

Committee on County Boundaries:

Messrs. Bryan, Chenoweth, Weygandt, Cooper, Lynn, McKinney and Younger.

Which was read.

The Speaker laid before the House the biennial report of the Southeast Missouri Normal School at Cape Girardeau; which was read.

Mr. McIntyre offered the following resolution:

Resolved, That the Chairman of the following committees, viz: Judiciary, Ways and Means, Penitentiary, Criminal Jurisprudence, Retrenchment and Reform and Roads and Highways, be, and they are hereby appointed a committee to report what committees shall be entitled to rooms, and to what rooms in the Capitol they shall respectfully be assigned; read and adopted.

On motion of Mr. Turner, the House adjourned until 10 o'clock to-morrow morning.

SIXTH DAY—WEDNESDAY, January 15, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

Mr. Davis moved that the further reading be dispensed with, but objections being interposed, it was read at length.

Mr. Dade, from the special committee appointed by Governor Phelps, to examine and settle with the Auditor and Treasurer, and to examine into the condition and affairs of the Register's office, and to inquire into the validity of the bonds given by the various State officers, submitted the following report :

(See appendix for report.)

Which was received.

On motion of Mr. Taylor, the report was referred to the Committee on Ways and Means, and 3,000 copies ordered printed for the use of the House.

Mr. Collins offered the following resolution :

Resolved, That the Committee on Deaf and Dumb and Lunatic Asylums, be requested to inform the House how many copies of each of the above named Institutions are necessary to be published, and what will be the cost of publication, and that the committee be allowed the use of the manuscript reports made to this Assembly, for the purpose of arriving at the cost of their publication; which was read and adopted.

Mr. Lackland offered the following resolution :

Resolved, That the special committee on revising and printing the rules, be also instructed to print with said rules, the names of the several committees, and of the members composing the same; which was read and adopted.

Mr. Powers offered the following resolution :

WHEREAS, Our Penitentiary has to draw a partial support from the State revenue, when the same should be made self supporting; therefore, be it

Resolved, That a special committee of five be appointed by the Speaker of the House, to inquire into the practicability of making the same self supporting, or a source of revenue to the State, and report to this House, by bill or otherwise; which was read, and referred to the Committee on Penitentiary.

Mr. Brown offered the following resolution :

Resolved, That the Speaker be requested to place Hon. J. W. Price of Texas county, on the Committee on Retrenchment and Reform; which was read and adopted.

Mr. Taylor offered the following resolution :

Resolved, That the Committee on Internal Improvements be requested to inquire what aid has been extended by the State to the

Missouri Pacific Railroad Company, Southwest Branch, in what amounts, upon what terms and upon what security; also to inquire what is now the condition of the securities, if any so taken, and whether any default has been made by said railroad company in any of its obligations to the State, and to report to this House what legislation, if any, is necessary on said matters; which was read and adopted.

Mr. Vancleve offered the following resolution :

Resolved, That the Commissioner on Permanent Seat of Government be instructed, under the direction of the chairman of committee, to procure the necessary furniture and fixtures for the committee rooms; which was read and adopted.

Mr. Riley offered the following resolution :

Resolved, That the Committee on Retrenchment and Reform be requested to inform the House what committees are entitled to the services of a clerk, and what is the compensation they ought to receive for their services; which was read and adopted.

Mr. Alldridge offered the following resolution :

Resolved, That the Ways and Means Committee be, and are hereby instructed to inquire into and report :

First—Upon the advisability of changing the time at which penalties attached for the non payment of taxes, from the first day of January of each year, to the first day of April of each year; and,

Second—If this change be found advisable, to examine and report what means are necessary to provide for the current expenses of the State, and interest upon the public debt, while the change is being made; which was read, and referred to the Committee on Ways and Means.

Mr. Burrows offered the following resolution :

Resolved, That the Committee of Ways and Means be requested to inquire into the working of that part of our revenue laws that taxes manufacturers, not only upon the raw material, but upon the manufactured articles, and see if any injustice is being done this very necessary branch of our industries whereby the same is crippled instead of encouraged, and capital kept out of our State, and report by bill or otherwise; which was read, and on motion, referred to the Committee on Ways and Means.

Mr. Harrigan offered the following resolution :

Resolved, That the Warden of the penitentiary be directed to have the steps in front of the capitol, and the walks in the capitol grounds, leading to same, sprinkled with saw dust or ashes, as speedily as possible, the same to be done by convict labor, under the direction of the commissioner; which was read and adopted.

Mr. Maynard offered the following resolution :

Resolved, That the Committee on Penitentiary be instructed to inquire into the expediency of building a branch prison, at some point on the Mississippi river, where the labor of convicts can be utilized in the working of stone and other materials that will not bear high rates for transportation; which was read, and referred to the Committee on Penitentiary.

Mr. Mott offered the following resolution :

Resolved, That the Commissioner on Permanent Seat of Government, take steps, at the earliest time possible, to prevent the leakage of water into the rooms of the capitol building; which was read, and referred to Committee on Permanent Seat of Government.

Mr. Pollock presented a petition from James C. Moody, of St. Louis; which was read, and referred to the Committee on Claims.

Mr. Anderson presented a petition from the treasurer and secretary of the Hannibal "Medical Society," requesting that the same dissecting privileges that are now enjoyed by medical colleges, be extended to all regularly chartered medical societies; which was read and referred to the Committee on Benevolent and Scientific Institutions.

Mr. Johnson introduced a joint and concurrent resolution entitled joint and concurrent resolution, memorializing Congress for the improvement of the navigation of White River; which was read the first time, and laid over.

Mr. Dade introduced a bill entitled An act to amend section one of an act entitled an act to amend section sixteen of chapter forty-one of the General Statutes, entitled of towns elections and powers of trustees, etc. Approved January 19, 1872, the same being section sixteen (16) of chapter one hundred and thirty-four of Wagner's Statutes entitled, towns, incorporations of; which was read the first time, and laid over.

The Speaker by consent of the House, changed Mr. Withers from the Committee on Immigration, to the Committee on Retrenchment and Reform, and changed Mr. Berry from the Committee on Retrenchment and Reform to the Committee on Immigration.

Mr. Brown introduced a bill entitled An act to repeal an act entitled an act to authorize counties, cities and towns to compromise their debts; which was read the first time and laid over.

Mr. Berryman introduced a bill entitled An act to amend section twenty-six, chapter eighty, of Wagner's Statutes of the State of Missouri; which was read the first time and laid over.

Mr. Chilton introduced a bill entitled An act to amend section

one of article three, chapter eighty-seven of Wagner's Statutes, being section one of chapter one hundred and ninety-five of the General Statutes of Missouri, entitled Liens; which was read the first time and laid over.

Mr. Farr introduced a bill entitled An act to amend sections twenty-three and twenty-four, of chapter two hundred of the General Statutes of Missouri, entitled crimes and punishments, same being sections twenty-three and twenty-four of article second of chapter forty-two of Wagner's Missouri Statutes; which was read the first time and laid over.

Mr. Rawlings introduced a bill entitled An act amendatory to the first section of an act for the preservation of game, approved April 11, 1877; which was read the first time and laid over.

Mr. Lackland introduced a bill entitled An act to amend section twenty-nine of chapter 169 of the General Statutes of Missouri, being section twenty-eight of article nine of chapter 110 of Wagner's Statutes of Missouri; which was read the first time and laid over.

Mr. Anderson introduced a bill entitled An act to amend section forty-nine of an act entitled an act to provide for appeals and writs of error in civil cases, and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section nine of chapter 172 of title thirty-four of the General Statutes of Missouri concerning practice in civil cases, approved January 24th, 1868, approved February 28th, 1871, the same being section forty-nine of article thirteen of chapter 110 of Wagner's Statutes; which was read the first time and laid over.

Mr. Cloud introduced a local bill entitled an act to prevent the netting of fish in the "cut-off" situated on the southeast quarter of section ten, and northeast quarter of section fifteen, township fifty-seven, range twenty-four, Livingston county, Mo.; which was read the first time and laid over.

The following notice of intention to apply for the passage of said bill, and proof of publication being attached thereto:

To all whom it may concern: Notice of intention to apply for the passage of a local law. Notice is hereby given that numerous citizens of Livingston county, Missouri, intend to apply to the next General Assembly of the State of Missouri for the passage of a special or local law to prohibit the use of seines, nets or other artificial means for catching, killing or removal of fish except by angling, from what is known as the "cut-off," situated on the southeast quarter of section ten, and northeast quarter of section fifteen, township fifty-seven, range twenty-four, Livingston county, Missouri.

Jas. T. Brown, John W. Toppas, John E. Wait, Levi Lings, C. H.

Hanson, N. H. Taft, E. J. Broadbudd, Frank Leaver, C. W. Wells, G. Harker, Frank Sheetz.

PROOF OF PUBLICATION.

State of Missouri, }
County of Livingston. } s. s.

T. H. Lankford, being sworn, says that he is publisher of the *Chillicothe Crisis*; that said paper is published weekly in Chillicothe, and is of general circulation in said county, and that the annexed advertisement-notice of intention to apply for the passage of a local law, was published therein for five consecutive weeks, as follows:

First insertion, December 5, 1878, volume 2, No. 15.

Second insertion, December 12, 1878, volume 2, No. 16.

Third insertion, December 19, 1878, volume 2 No. 17.

Fourth insertion, December 26, 1878, volume 2, No. 18.

Fifth insertion, January 2, 1879, volume 2, No. 19.

T. H. LANKFORD.

Sworn to and subscribed to before me this 8th day of January, 1879.

Commissioned and qualified for a term expiring May 4, 1882.

[SEAL]

PAUL J. DIXON, Notary Public,

Livingston County, Mo.

Mr. Foster introduced a concurrent resolution, entitled Concurrent resolution of General Assembly providing for a Supreme Court Commission; which was read the first time and laid over.

Mr. Turner introduced bill No. 46, entitled An act to change the time for the assessment of property in the state of Missouri, which was read the first time and laid over.

Mr. Cox introduced bill No. 47, entitled An act to amend section 65 of an act entitled An act concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

Mr. Carleton introduced bill No. 48, entitled An act to amend an act, entitled An act for the repayment of purchase money by counties in cases of erroneous sales of swamp lands by said counties; which was read the first time and laid over.

Mr. Powers introduced bill No. 49, entitled An act to provide for the protection of trappers in the State of Missouri, approved March 27, 1877, which was read the first time and laid over.

Mr. Bonham introduced bill No. 50, entitled An act to repeal an act to encourage the destruction of rats, approved March 20, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 51, entitled An act to regulate and limit the compensation of clerks of county courts, which was read the first time and laid over.

Mr. Pepper introduced bill No. 52, entitled An act to amend sections three and five of an act entitled an act to amend sections six, seven, twenty-eight, thirty, thirty-one, forty-nine, fifty-four, ninety-three, one hundred and fifteen, one hundred and eighteen, one hundred and thirty-five, one hundred and thirty six, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty-four, one hundred and forty-five, one hundred and seventy-three of an act, entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections two hundred and forty-nine, two hundred and fifty, two hundred and fifty-one, two hundred and fifty-two, two hundred and fifty-three, approved April 28, 1877; and also to amend sections forty-eight and fifty-nine of an act, entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 53, entitled An act concerning the collection of the revenue for the year 1878, and relieving from the penalties now imposed by law for the non-payment of taxes; which was read the first time and laid over.

Mr. Craig introduced bill No. 54, entitled An act to aid school districts in erecting houses; which was read the first time and laid over.

Mr. Ingram introduced bill No. 55, entitled An act to amend section two of chapter forty two (42) of the General Statutes, the same being section two of chapter one hundred and thirty-four (134) of Wagner's statutes, entitled towns of incorporation; which was read the first time and laid over.

Mr. Morrison introduced bill No. 56, entitled An act to amend section eight of an act to provide for the collection of delinquent taxes and tax on real estate, approved April 12, 1877; which was read the first time and laid over.

Mr. Burford introduced bill No. 57, entitled An act defining a school month; which was read the first time and laid over.

Mr. McCormick of St. Louis introduced bill No. 58, entitled An act to amend section 19, article I, chapter 2 of Wagner's Statutes, concerning the appointment and removal of executors and administrators; which was read the first time and laid over.

The Speaker laid before the House the report of the State Treasurer; which was received.

On motion of Mr. Davis, 5,000 copies were ordered printed for the use of the House.

The Speaker laid before the House the report of the Inspectors of the State Penitentiary; which was received.

On motion of Mr. Davis, 3,000 copies were ordered printed for the use of the House.

The Speaker laid before the House the report of the Normal School at Cape Girardeau, Missouri; which was, on motion, referred to the Committee on Education.

The Speaker laid before the House a report of the State Normal School at Kirksville, Missouri; which was, on motion, referred to the Committee on Education.

The Speaker laid before the House a report of the State Normal School at Warrensburg, Missouri; which was, on motion, referred to the Committee on Education.

The Speaker laid before the House the report of R. D. Shannon, Superintendent of Public Schools; which was, on motion, referred to the Committee on Education.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that, under and in compliance with Senate joint and concurrent resolution No. 1, in relation to revising the statutes, the President of the Senate has appointed, on the part of the Senate, as such Joint Committee, Senators Ballingal, Hockaday and Wilson; which was read.

The Speaker laid before the House the papers in the contested election case of Johnson versus Dryden; which were, on motion, referred to the Committee on Elections.

The Speaker laid before the House papers in the contested election case of Bowman versus Strawhim; which were, on motion, referred to the Committee on Elections.

The Speaker appointed the following Special Committee to investigate the condition of affairs in the office of State Treasurer, under, resolution introduced by Mr. Taylor:

Messrs. Taylor, Tiernan, Wiley, Brown and Saunders.

The Speaker appointed the following Special Committee on Rules under resolution offered by Mr. Foster:

Messrs. Foster, Dryden, Wisby, Lesueur and Maynard.

House bill No. 24, entitled An act entitled an act to abolish the office of prosecuting attorney, and providing for the election of circuit attorney, was called up, read the second time and, on motion, referred to the Committee on Judiciary.

On motion of Mr. Davis, the House adjourned until 10 o'clock to-morrow morning.

SEVENTH DAY.—THURSDAY, January 16, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Spring offered the following resolution :

Resolved, That a committee of five be appointed, whose duty it shall be to inquire, at an early day, into the expediency of reorganizing the judicial circuits, and reducing the number thereof; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Knight offered the following resolution :

Resolved, That the name of J. H. Burrows be added to the Committee on Agriculture; which was read and adopted.

Mr. Patterson of Linn offered the following resolution :

Resolved, That four of the seven members selected by the House on revision of the statutes should be farmers; which was read.

Mr. Cox moved to lay the resolution on the table.

The ayes and noes being demanded, the resolution was not laid on the table, by the following vote :

AYES—Messrs. Bashaw, Brady, Carleton, Cowan of Holt, Cox, Foster, Hayes, Haynes, Harrigan, Lackland, Manistre, Maynard, McCormick of St. Louis City, and Vancleve—14.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Craig, Creager, Crowther, Dade, Dale, Diercks, Dodson, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hale, Hammons, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKinney, O'Malley, Palmer, Patterson of Linn, Pehle, Pepper, Powell, Powers, Price,

Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis City, Spring, Swank, Talbot, Tevis, Turner, Warren, Weygandt, Whitaker, Windes and Withers—94.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Arnold, Berryman, Booth, Burford, Campbell of St. Louis City, Davis, Dawson, Dilley, Dougherty, Dryden, Gwynne, Hall, Harrigan, Long, Moler, Mott, McDaniel, McGarry, McKill, Organ, Patterson of Schuyler, Phelan, Pollock, Pollard, Taylor, Tierman, Waggener, Wells, Wiley, Wisby and Younger—31.

ABSENT WITH LEAVE—Mr. Mackey—1.

SICK—Messrs. Crow and Ham—2.

Mr. Riley offered the following amendment:

Amend by adding, if there can be found that proportion of farmers who, in addition to their profession as farmers, are eminent in the legal profession; which was read and not agreed to.

Mr. Settles offered the following substitute:

That the words "four farmers" be stricken out, and that the Speaker represent all business interests on that committee, so nearly as can be; which was read and not agreed to.

The question recurring on the resolution, it was adopted.

Mr. Riley offered the following resolution:

Resolved, That the House authorize the publication of three thousand copies of the report of the Deaf and Dumb Asylum, located at Fulton; which was read and not adopted.

Mr. Mudd of St. Louis offered the following resolution:

Resolved, That the Missouri State Horticultural Society be allowed the use of this hall on the evening of Tuesday and Wednesday, the 28th and 29th inst.; which was read and adopted.

Mr. Ingram introduced a joint and concurrent resolution, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives to vote for and support, by all honorable means, the bill now pending before Congress, placing the enrolled militia of the several States in the late war, upon an equality with the regular volunteer soldiers, with respect to the right of homestead, as provided by section 2306 of the Revised Statutes of the United States; which was read the first time and laid over.

Mr. Cook introduced a concurrent resolution, entitled Concurrent resolution, relating to war claims; which was read the first time and laid over.

Mr. Bryan introduced bill No. 59, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs; which was read the first time and laid over.

Mr. Wells introduced bill No. 60, entitled An act regulating the fees of witnesses; which was read the first time and laid over.

Mr. Mudd of Lincoln introduced bill No. 61, entitled An act relating to the State Treasurer; which was read the first time and laid over.

Mr. Bashaw introduced bill No. 62, entitled An act to amend section ten, chapter one hundred and thirty-one of the General Statutes of 1865; which was read the first time and laid over.

Mr. McKill introduced bill No. 63, entitled An act to amend an act authorizing the imprisonment of persons convicted of misdemeanors in other places than county jails; which was read the first time and laid over.

Mr. Larimore introduced bill No. 64, entitled An act to limit fees of judge of probate; which was read the first time and laid over.

Mr. Anderson introduced bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children, in proceedings in habeas corpus, between the parent of such minor and any person not a parent, approved March 15, 1877; which was read the first time and laid over.

Mr. Wells introduced bill No. 66, entitled An act to amend an act to provide for the manner of selecting and summoning grand and petit jurors for courts of record, in counties having a population of less than twenty thousand inhabitants, approved March 15, 1875; which was read the first time and laid over.

Mr. Brown introduced bill No. 67, entitled An act to provide for the enforcement of the constitution and laws of this State; which was read the first time and laid over.

Mr. Foster introduced bill No. 68, entitled An act declaring law journals to be newspapers; which was read the first time and laid over.

Mr. Burrows introduced bill No. 69, entitled An act to amend an act entitled an act in relation to roads and highways, provide for establishing, opening and repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Campbell of Atchison introduced bill No. 70, entitled An act in relation to public school funds; which was read the first time and laid over.

House bill No. 23, entitled An act to provide for the non-forfeiture of life insurance and endowment policies, was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 25, entitled An act supplementary to an act in relation to roads and highways, etc., approved April 27, 1877, was called

up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 26, entitled An act to regulate the fees of the collector of the State and county revenue, was called up, read the second time, and, on motion, was referred to Committee on Ways and Means.

House bill No. 27, entitled An act to amend section 1 of an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 28, entitled An act to amend section 2 and section 3 of an act entitled an act to prevent domestic animals from running at large in those counties which, by majority vote, may decide to agree thereto; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 29, entitled An act entitled an act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits and prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 31, entitled An act entitled an act for the suppression of petty thefts and certain misdemeanors by the establishment of whipping post, was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 32, entitled An act entitled an act to repeal an act entitled Indians, approved March 13, 1866; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House bill No. 33, entitled An act to amend the school law; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 34, entitled An act to amend sections 9 and 11 of chapter 191 of the General Statutes of the State of Missouri, entitled of the limitations of real and personal actions, was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 35, entitled An act to amend section 23, chapter 200, General Statutes, being sections 23, article 2, chapter 42 of Wagner's Statutes, was called up, read the second time, and, on motion, referred to the Committee on Crimminal Jurisprudence.

House bill No. 36, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to Committee on Agriculture.

House bill No. 37, entitled An act to amend section 1 of an act entitled an act to amend section 16 of chapter 41 of the General Statutes, entitled of the incorporation of towns, elections, and powers of trustees, etc., approved January 19, 1872, the same being section 16 of chapter 134 of Wagner's Statutes, entitled towns, incorporation, etc.; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 38, entitled An act to repeal an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 39, entitled An act to amend section 26, chapter 80 of Wagner's Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 40, entitled An act to amend section 1 of article 3, chapter 87 of Wagner's Statutes, being section 1 of chapter 195 of the General Statutes of Missouri, entitled liens; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 41, entitled An act to amend sections 23 and 24, chapter 200, General Statutes of Missouri, entitled crimes and punishment, same being sections 23 and 24 of article 2 of chapter 42 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 42, entitled An act amendatory to the first section of an act for the preservation of game, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 43, entitled An act to amend section 28 of chapter 169 of the General Statutes of Missouri, being section 28 of article 9, chapter 110 of Wagner's Statutes of Missouri; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 44, entitled An act to amend section 49 of an act entitled an act to provide for appeals and writs of error in civil cases,

and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172 of title 34 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 49 of article 13 of chapter 110 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 45, entitled An act to prevent the netting of fish in the "cut-off" situated on the southeast quarter of section 10, and northeast quarter of section 15, township 57, range 24, Livingston county; was called up, read the second time, and, on motion, referred to the Committee on Local Bills.

House bill No. 46, entitled An act to change the time for the assessment of property in the State of Missouri; was called up, read the second time, and, on motion, referred to Committee on Ways and Means.

House bill No. 47, entitled An act to amend section 65 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 48, entitled An act to amend an act entitled an act for the repayment of purchase money by counties in cases of erroneous sale of swamp lands, by said counties; was called up, read the second time and, on motion, referred to Committee on Swamp Lands.

House bill No. 49, entitled An act to repeal an act entitled an act to provide for the protection of trappers in the State of Missouri, approved March 27, 1877; was called up, read the second time and, on motion, referred to the Committee on Agriculture.

House bill No. 50, entitled An act to repeal an act to encourage the destruction of rats, approved March 20, 1877; was called up, read the second time and, on motion, referred to the Committee on Agriculture.

House bill No. 51, entitled An act to regulate and limit the compensation of clerks of county courts, was called up, read the second time and, on motion, referred to Committee on Ways and Means.

House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145, and 173 of an act entitled an act concerning the assessment and collection of the revenue, etc.; was called up, read the second time and, on motion, referred to the Committee on Ways and Means.

House bill No. 53, entitled An act concerning the collection of the revenue for the year 1878, and releasing from penalties now imposed

by law for the non-payment of taxes; was called up, read the second time and, on motion, referred to Committee on Ways and Means.

House bill No. 54, entitled An act to aid school districts in erecting houses; was called up, read the second time and, on motion, referred to the Committee on Education.

House bill No. 55, entitled An act to amend section two of chapter forty-two (42) of the General Statutes, the same being section two of chapter one hundred and thirty-four (134) of Wagner's Statutes, entitled towns, incorporation of; was called up, read the second time and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 56, entitled An act to amend section eight of an act to provide for the collection of delinquent taxes and tax on real estate, approved April 12, 1877; was called up, read the second time and, on motion, referred to Committee on Ways and Means.

House bill No. 57, entitled An act defining a school month, was called up, read the second time and, on motion, referred to Committee on Education.

House bill No. 58, entitled An act to amend section 19, Article I., chapter 2 of Wagner's Statutes, concerning the appointment and removal of executors and administrators; was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 6, entitled Joint and concurrent resolution, memorializing Congress for the improvement of the navigation of White river, was called up, read the second time and, on motion, referred to the Committee on Federal Relations.

House joint and concurrent resolution No. 7, entitled Concurrent resolution of General Assembly providing for a supreme court commission, was called up, read the second time and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Long was reported sick.

On motion of Mr. Wells, the house adjourned until to-morrow morning, at half-past nine o'clock.

EIGHTH DAY—FRIDAY, January 17, 1879.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read when, on motion of Mr. Bashaw, the further reading was dispensed with.

Leave of absence was granted to Mr. Tiernan for five days.

Mr. Bryan presented a memorial from S. D. Carpenter, in relation to license of dramshops; which was read and, on motion, referred to the Committee on Ways and Means.

Mr. Dryden presented the biennial report of the Board of Immigration; which was received and, on motion, referred to the Committee on Immigration.

Mr. Bowman offered the following resolution :

Resolved, That the Speaker of the House of Representatives be requested to add to the Committee on Mines and Mining, the Hon. E. F. Hynes of Howell county; which was read and adopted.

Mr. Saunders offered the following resolution :

Resolved, That one thousand copies of the report of the Superintendent of State Lunatic Asylum No. 2 be printed for the use of the House; which was read and, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylums.

Mr. McKinney offered the following resolution :

Resolved, That D. C. Dade of Green, be placed on the Committee on Ways and Means; which was read and adopted.

Mr. Cock offered the following resolution :

Resolved, That L. Harrigan of St. Louis, be added to the Committee on Blind Asylum; which was read and adopted.

Mr. Cook offered the following resolution :

Resolved, That the Speaker be requested to add the name of Dr. W. W. Dougherty of Clay, to the Committee on Benevolent and Scientific Institutions; which was read and adopted.

Mr. Burrows introduced a joint and concurrent resolution, entitled A memorial to Congress, in relation to the tax on leaf tobacco; which was read the first time and laid over.

Mr. Collins offered the following resolution :

Resolved, That the Hon. R. A. Campbell of St. Louis, be added to the Committee on Deaf and Dumb Asylum; which was read and adopted.

Mr. Larimore offered the following resolution :

Resolved, That the name of S. A. Lynn be added to the Committee on Deaf and Dumb and Lunatic Asylums; which was read and not adopted.

Mr. Anderson introduced bill No. 71, entitled An act to repeal section two of an act entitled an act to amend section two of chapter one hundred and fifty-three of the General Statutes of Missouri, rela-

ting to mortgages and deeds of trust, approved May 15th, 1879; which was read the first time and laid over.

Mr. Chilton introduced bill No. 72, entitled An act to regulate hedges on public highways; which was read the first time and laid over.

Mr. Anderson introduced bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union Military Bonds, and the interest due thereon, approved February 15, 1870; which was read the first time and laid over.

Mr. Organ introduced bill No. 75, entitled An act to repeal sections 17, 18 and 19 of an act to locate and dispose of the congressional land grant of July 2, 1862, to endow, support and maintain school of agricultural and mechanic arts, and a school of mines and metallurgy, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, approved February 24, 1870; which was read the first time and laid over.

Mr. Hayes introduced bill No. 81, entitled An act to amend an act to provide for taxing and licensing manufacturers; which was read the first time and laid over.

Mr. McGarry introduced bill No. 76, entitled An act to amend section 33, chapter 189, relating to landlords and tenants; which was read the first time and laid over.

Mr. Berryman introduced bill No. 77, entitled An act to amend section two, (2,) chapter one hundred and seventy-three (173) of the General Statutes of Missouri, entitled costs; which was read the first time and laid over.

Mr. Larimore introduced bill No. 78, entitled An act regulating the salaries and fees of prosecuting attorneys; which was read the first time and laid over.

Mr. Moler introduced bill No. 79, entitled An act to regulate the building of barbed wire fence; which was read the first time and laid over.

Mr. McKill introduced bill No. 80, entitled An act to amend an act entitled an act to provide for the registration and licensing of dogs; which was read the first time and laid over.

Mr. Brown introduced bill No. 74, entitled An act to prohibit railroad companies from cleaning stock cars, on any but enclosed lands; which was read the first time and laid over.

Mr. Cox from the Committee on Permanent Seat of Government submitted the following report:

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred the resolutions that the Commissioner

of Permanent Seat of Government take steps at the earliest time possible to prevent the leakage of water into the rooms of the capitol building, would respectfully submit the following report:

That at the earliest practicable moment after the adoption of the resolution referred to, the committee inspected the roof of the capitol building with a view of ascertaining the cause of the leak and providing the means of remedying it. The roof was found to be covered with ice and snow to such an extent as to prevent a thorough examination; and at the request of the committee, the Warden of the Penitentiary furnished a sufficient number of convicts to clear off all obstructions and allow a free passage of water through the pipes. A mechanic has also, under the direction of the Commissioner, been employed to mend the leaks on the roof, and the committee have reason to believe that no further leakage will occur; which was read.

Mr. Brady was granted leave of absence for three days.

Mr. Harrigan was granted leave of absence for three days.

The following message was received from the Governor, through his private secretary, Mr. Yost:

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Jan. 17, 1879. }

Hon. J. Edward Belch, Speaker of the House of Representatives:

SIR: I have the honor to submit herewith to the House of Representatives the report of the Board of Railroad Commissioners for the year ending December 31, 1878, and the biennial report of the Register of Lands.

Very respectfully,

JOHN S. PHELPS.

Which was read, and, on motion, the Railroad Commissioners' report was referred to the Committee on Internal Improvements.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House joint and concurrent resolution 4, entitled Joint and concurrent resolution relating to the revising the Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it be referred to the Special Committee on Revision of the Statutes of the State of Missouri; which was read and adopted.

House joint and concurrent resolution No. 4 was taken up, and, on motion, referred to the Special Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was re-

ferred House resolution relating to the reorganization of the judicial circuits of this State, beg leave to report that they have considered the same, and recommend that it be adopted; which was read and adopted.

Mr. Booth rose to a privileged question, in relation to an article which appeared in the *Missouri Republican* of the 16th inst.

Mr. Foster, from the Special Committee on Rules, submitted the following report:

MR. SPEAKER: Your committee specially appointed to revise the rules for the government of this House, have performed this duty and beg leave to submit the following as the result of their labor:

ARTICLE I — OF THE HOUSE.

CALL OF THE HOUSE.

SECTION 1. A call of the House may be made at any time on motion, seconded by ten members and sustained by a majority of those present, and under a call of the House a majority of those present may send for and compel the attendance of absent members, and the majority of all the members present shall be a sufficient number to adjourn. No call of the House shall be made after the Clerk has commenced calling the roll, until the vote be announced by the Speaker. The proceedings under a call of the House shall not be dispensed with after once ordered, until a quorum be present. A motion to dispense with proceedings under a call of the House shall not be entertained after a call is once ordered, nor shall an adjournment terminate proceedings under a call, unless a quorum be present. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

ABSENCE FROM THE HOUSE.

SEC. 2. No member shall absent himself from the service of the House unless he have leave, or be sick or unable to attend; and if any member be absent for two days successively, without leave, the Chief Clerk shall report the same to the House, which report shall be entered on the journal.

NAMES OF ABSENTEES TO BE CALLED:

SEC. 3. Upon the call of the House, the names of the members shall be called alphabetically and the absentees noted, after which the names of the absentees shall again be called over, and those who do not appear may be sent for and taken into custody wherever to be found, by the Sergeant-at-Arms or special messenger to be appointed.

RELEASED FROM CUSTODY :

SEC. 4. When a member shall be discharged from custody and admitted to his seat, the House shall determine whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger, shall not be liable to defray the expenses of such special messenger.

REASONS MUST BE GIVEN FOR LEAVE OF ABSENCE :

SEC. 5. No member shall be granted leave of absence without first stating himself, or some one for him, the grounds and reasons therefor.

ARTICLE II—OF THE SPEAKER.

DUTIES OF THE SPEAKER:

SECTION 1. He shall take the chair at the hour to which the House shall have been adjourned, and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read, (unless otherwise ordered by the House,) which may then be corrected by the House.

SPEAKER SHALL PRESERVE DECORUM, AND MAY SPEAK TO QUESTIONS OF ORDER:

SEC. 2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any five (5) members, upon which appeal no member shall speak more than once, unless by leave of the House.

SEC. 3. He shall rise to state and put a question.

MANNER OF PUTTING QUESTIONS:

SEC. 4. Questions shall be put in this form, to-wit: "As many as are of opinion that (as the case may be,) say aye," and after the affirmative voice is expressed, "as many as are of the contrary opinion, say no." If the Speaker doubts, or a division is called for, the House shall divide: those in the affirmative of the question shall first rise from their seats, and afterward those in the negative; if the Speaker still doubts, or a count be required by at least ten members, the Speaker shall name two members, one from each side, to tell the members in the affirmative and negative, which being reported, he shall rise and state the decision of the House.

HIS DUTIES AND RIGHTS:

SEC. 5. He shall examine and correct the journal before it is read. He shall have a general direction and superintendence of the hall. He shall have a right to substitute any member to perform the duties of the Chair, but such substitution shall not extend beyond two days.

SIGNATURE REQUIRED:

SEC. 6. He shall sign all bills, and perform all other duties in relation thereto as is required by the Constitution. He shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his hand, attested by the clerk.

MAY CLEAR LOBBIES:

SEC. 7. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker, or chairman of the committee of the whole House, shall have power to order the same to be cleared.

SPEAKER PRO TEM:

SEC. 8. The House may, at any time, elect a Speaker *pro tem.*, who, during the time for which he may be chosen, and during the sickness or absence of the Speaker, shall perform the duties of that office.

SPEAKER SHALL VOTE, WHEN:

SEC. 9. In all cases of elections by the House, and when the ayes and noes are taken, the Speaker shall vote; in other cases he shall not be required to vote, unless the House is equally divided, or unless the vote, if given to the minority, make the division equal; and in case of such equal division, the question shall be lost.

HOUR OF MEETING:

SEC. 10. The regular hour of meeting of the House shall be 9½ o'clock A. M., and there shall be but one session per day, unless otherwise ordered by the House.

ARTICLE III—OF THE CLERKS AND OTHER OFFICERS.

CLERKS AND OTHER OFFICERS TO BE ELECTED:

SECTION 1. The House shall, at the commencement of each session, and as often as may be necessary, elect a Chief Clerk of the House, an Assistant Chief Clerk, and as many Engrossing and Enrolling Clerks as may be deemed necessary, a Doorkeeper and a Sergeant-at-Arms, who shall hold their offices until the end of the session in which they shall be elected, unless sooner removed by a vote of the members present, and who shall be entitled to such compensa-

tion as may be provided by law; shall respectively take an oath to support the Constitution of the United States and of this State, and faithfully demean themselves in office, and keep the secrets of the House, which oath shall be administered by the Speaker.

DUTIES OF CHIEF CLERK:

SEC. 2. It shall be the duty of the Clerk of the House to attend the House during its sitting; to keep and make out its journals, and seasonably to record all its proceedings; to make out and transmit all its messages, communications, copies and documents to be sent to the Senate; to keep, under direction of the Speaker, regular files of the papers of the House; to attest all writs, warrants and subpoenas issued by order of the House; to keep an account of all fines imposed, and of the attendance and traveling allowance of members. He shall procure the necessary stationery for the use of the House from the Secretary of State, and superintend the preservation of all books and stationery belonging to the House. He shall (under the direction of the Speaker) keep a docket of proceedings on all bills, resolutions and acts, and shall execute the command of the House from time to time.

DUTIES OF ENGROSSING AND ENROLLING CLERKS:

SEC. 3. It shall be the duty of the Engrossing and Enrolling Clerks respectively, seasonably to engross or enroll (as the case may be) in a fair, round hand, all bills, amendments, resolutions, joint resolutions and acts of the House, or of both Houses, delivered to them for that purpose; and, from time to time, execute the commands of the House, or such committees as may be appointed on engrossed or enrolled bills.

DUTIES OF DOORKEEPER:

SEC. 4. It shall be the duty of the Doorkeeper to attend the sittings of the House; he shall have the custody and care of the hall and furniture of the House during the session, subject to the order of the Speaker; shall furnish water for the use of the members; shall make and keep fires when required, and procure fuel, necessary utensils from the Commissioner of the Permanent Seat of Government; shall allow no person to come or remain within the bar, except such as are admitted by the rules or orders of the House; he shall announce all messages and communications from the Governor or Senate, and admit the bearer within the bar; he shall, from time to time, execute the commands of the Speaker in relation to his duties, and shall obey such other orders as may be made by the House.

DUTIES OF THE SERGEANT-AT-ARMS:

SEC. 5. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House

from time to time, together with such process issued by authority thereof, as shall be directed to him by the Speaker; his fees shall be such as may be provided by law.

ARTICLE IV.—OF COMMITTEES AND THEIR DUTIES.

KINDS OF COMMITTEES:

SECTION 1. Committees shall be, either Committees of the Whole House, Standing Committees, or Select Committees.

TIME OF SITTING:

SEC. 2. No committee shall sit during the session of the House, without leave.

BY WHOM APPOINTED:

SEC. 3. All committees, unless otherwise ordered, shall be appointed by the Speaker.

NUMBER OF MEMBERS:

SEC. 4. The Standing Committees shall consist of seven members each, except the Committees on Internal Improvements and Agriculture, which shall consist of thirteen each: the Committees on the Judiciary and Ways and Means, which shall consist of nine members each, and the Committees on Retrenchment and Reform and Roads and Highways, which shall consist of eleven members each.

SEC. 5. All Select Committees shall consist of three members each, unless otherwise ordered.

STANDING COMMITTEES:

SEC. 6. The following Standing Committees shall be appointed:

1. A Committee on the Judiciary, whose duty it shall be to consider all questions relating to the judicial department of the State, referred to them by the House; to examine and report to the House what statutes, if any, need to be changed, modified, repealed or amended, to make them conform to the Constitution.

2. A Committee on Ways and Means, whose duty it shall be to examine and report upon all questions touching the revenues, public debt and interest thereon, and the appropriation and disbursement of the public moneys, as shall be referred to them.

3. A Committee on Banks and Corporations, whose duty it shall be to consider all memorials, propositions and bills relating to banks and corporations, except railroads; to examine the general corporation laws, to examine the laws in relation to banks, and report on such bills and propositions as to them shall seem expedient.

4. A Committee on Internal Improvements, whose duty it shall be to take into consideration all petitions, matters and things referred to them touching railroads, canals, navigable waters, or other internal improvements; to examine the laws in relation thereto, and to

report their opinion thereon, together with such bills and propositions for promoting and encouraging internal improvements, as they may deem expedient.

5. A Committee on Federal Relations, whose duty it shall be to take into consideration all reports, propositions, matters and things referred to them touching amendments to the Constitution of the United States, the relations of the State with the United States or any State in the Union, and report their opinions thereon.

6. A Committee on Constitutional Amendments, whose duty it shall be to examine the constitutionality of all laws referred to them by the House, and to examine and report upon all proposed amendments to the Constitution.

7. A Committee on Education, whose duty it shall be to take into consideration all petitions and matters referred to them, relating to schools and the land granted for their support; to inquire into the situation of such lands, and of the funds arising therefrom, and report their opinions thereon, together with such bills and propositions as they may deem expedient for preserving the said lands from waste and damage; for the renting, leasing, improvement, or other disposition thereof, and for applying the funds arising therefrom to the establishment and support of schools and a university; for the encouragement of the means of education and promotion of literature, pursuant to the terms of the grant made by the United States and the Constitution of this State.

8. A Committee on Militia, whose duty it shall be to take into consideration all petitions, matters and things touching the militia, as may be referred to them, and to examine the laws relating to the militia, and, from time to time, report their opinions thereon; report such bills and propositions as to them shall seem expedient for the well organizing, governing, disciplining and regulating the militia.

9. A Committee on Criminal Jurisprudence, whose duty it shall be to consider all questions relating to criminal laws or criminal procedure, referred to them by the House, and to examine the said laws and report measures for their better enforcement, and to adopt and report such measures as will lessen the expenditures of the State in the enforcement of such laws, and report to the House.

10. A Committee on Justices of the Peace, whose duty it shall be to consider all questions, bills and measures relating to justices of the peace, and the laws regulating practice and proceedings before them, as may be referred to them.

11. A Committee on Libraries, whose duty it shall be to take into consideration all matters in relation to the law and State libraries, and to bring before the House, by bills or reports, such subjects

of legislation, as they may deem necessary and proper for the improvement and enlargement of said libraries.

12. A Committee on Accounts, whose duty it shall be to superintend and control the contingent expenses of the House, and to audit and adjust all accounts for contingent expenses; and to audit the accounts of members for their mileage, *per diem*, and other allowances, and report the same to the Chief Clerk.

13. A Committee on Claims, whose duty it shall be to take into consideration all such petitions, matters or things touching claims and demands against the State, as shall be referred to them by the House, and report their opinion thereon, together with such bills and propositions for relief therein, as to them shall seem expedient.

14. A Committee on Agriculture, whose duty it shall be to take into consideration all such petitions, propositions, matters and things as shall be referred to them by the House, touching agriculture and the improvement thereof, and report their opinion thereon, together with such bills and propositions for the protection and encouragement of agriculture within the State, as they may deem expedient.

15. A Committee on Manufactures, whose duty it shall be to take into consideration all such petitions, matters and things touching the manufacturing interests of the State, as shall be presented or may come in question and be referred to them; and to devise and report proper ways and means to promote the growth of manufactures in this State.

16. A Committee on Roads and Highways, whose duty it shall be to take into consideration all petitions, matters and things that may be referred to them, touching roads, bridges and ferries; to examine into the laws in relation thereto, and report their opinion thereon, together with such bills and propositions as to them shall seem expedient and proper.

17. A Committee on Elections, whose duty it shall be to examine all laws regulating elections, and report such alterations and amendments as they may deem necessary, and to take into consideration all petitions and other matters touching elections and returns which shall be presented or come in question, and be referred to them by the House.

18. A Committee on Engrossed bills, whose duty it shall be to superintend the Engrossing Clerks, and see that all bills and amendments are properly engrossed, when required by law or the order of the House, and to perform all the duties required to be done under the supervision of a committee, by sections 29 and 30 of article 4 of the Constitution of Missouri.

19. A Committee on Enrolled Bills, whose duty it shall be to examine all enrolled bills, carefully compare the same with bills as engrossed, or as finally passed, correct clerical errors, and return the same to the Clerk of the House, with the words "truly enrolled" indorsed thereon.

20. A Committee on Local Bills, whose duty it shall be to consider and report upon all local bills which shall be referred to them.

21. A Committee on Unfinished Business, whose duty it shall be to examine and report upon all bills and measures remaining over from the last session of the General Assembly, requiring action at this session.

22. A Committee on Swamp Lands, whose duty it shall be to examine and report upon all matters referred to them in regard to those lands granted to the State on September 20, 1850, and generally known as "Swamp Lands," and to suggest such measures as will the better secure said lands, and the proceeds arising from the sale thereof, to the purposes for which they were granted.

23. A Committee on Deaf and Dumb and Lunatic Asylums, whose duty it shall be to examine and report upon all matters referred to them in relation to the Deaf and Dumb and Lunatic Asylums, and to suggest such measures as will improve their utility and economize the administration thereof.

24. A Committee on Blind Asylum, whose duty it shall be to examine and report upon all matters referred to them in relation to the Blind Asylum, and to suggest such measures as will improve its utility and economize the administration thereof.

25. A Committee on Benevolent and Scientific Institutions, whose duty it shall be to examine and report upon all matters referred to them in relation to the Benevolent and Scientific Institutions of the State.

26. A Committee on Immigration, whose duty it shall be to examine and report upon all matters referred to them relating to immigration, and to suggest such measures as will encourage immigration into this State.

27. A Committee on Penitentiary, whose duty it shall be to examine and report upon all matters referred to them in relation to the Penitentiary, its management and discipline, and to suggest such measures as will economize its administration.

28. A Committee on Printing, whose duty it shall be to take into consideration all matters and propositions for printing, or relating to the same, which shall be referred to them, and perform all duties

required by law to be performed by the Committee of the House on Printing.

29. A Committee on County Boundaries, whose duty it shall be to examine and report upon all matters relating to new counties and county boundaries, which may be referred to them.

30. A Committee on Mines and Mining, whose duty it shall be to examine all matters referred to them in relation to mines and mining, and to suggest such measures as will assist in the development of the mineral resources of the State.

31. A Committee on Insurance, whose duty it shall be to examine and report upon all matters referred to them in relation to insurance, and to suggest such measures as may add to the efficiency of the Insurance Department, and the improvement of the insurance laws.

32. A Committee on Retrenchment and Reform, whose duty it shall be to examine and report upon all matters referred to them, and to suggest such measures as will economize expenditures, and reform abuses in our State, county, city, and other municipal governments.

33. A Committee on Permanent Seat of Government, whose duty it shall be to examine and report upon all matters referred to them relating to the public buildings of the State, and the Capitol grounds, and to suggest measures for their improvement and preservation.

34. A Committee on University, whose duty it shall be to examine and report upon all matters referred to them in relation to the State University, and to suggest such measures as will improve its usefulness and enlarge its advantages.

35. A Committee on Township Organization, which shall examine and report upon all matters referred to them relating to township organization, and suggest such amendments to the township organization law as they may deem expedient.

36. A Committee of St. Louis Delegation, which shall consist of the entire delegation from the city of St. Louis, which shall elect its own chairman, and shall examine and report upon all matters referred to them, relating exclusively to St. Louis city.

OTHER DUTIES :

SEC. 7. Each committee, in addition to the duties above prescribed, shall perform such other duties as may be required by the House.

SEC. 8. It shall be the duty of the chairmen of such committees as are allowed clerks by the House, to appoint some competent person to fill such position.

ARTICLE V—OF BILLS, ETC.

HOW INTRODUCED :

SECTION 1. Every bill shall be introduced on the report of a committee, or by any member of the House, in the regular order of business.

ENACTING CLAUSE :

SEC. 2. The enacting clause of all acts of the Legislature hereafter enacted shall be in the following form: "*Be it enacted by the General Assembly of the State of Missouri, as follows.*"

HOW PASSED :

SEC. 3. No law shall be passed except by bill, and no bill shall be so amended in its passage as to change its original purpose.

HOW READ :

SEC. 4. Every bill shall be read on three separate days.

FIRST AND SECOND READING :

SEC. 5. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no objection is made to the bill, or if the question to reject be negatived, the bill shall then go to its second reading on a subsequent day without objection.—[Barclay's Digest, page 22, Rule 117.]

WHAT SHALL BE DONE ON SECOND READING :

SEC. 6. Upon the second reading of a bill, the Speaker shall state that it is ready for amendment and commitment; and then the question shall be whether it shall be referred to a select or standing committee, or a committee of the whole House.—[Barclay's Digest, Rule 118.]

WHEN REPORTED UPON :

SEC. 7. When a bill has been reported upon by a committee, the Speaker shall state that the bill is subject to amendment, and if amended or not amended, and not recommitted, the question shall be: "Shall this bill be engrossed and printed?"

HOW ENGROSSED :

SEC. 8. All bills ordered to be engrossed shall be executed in a fair round hand.

WHAT SHALL BE DONE WITH AMENDMENTS :

SEC. 9. All amendments adopted by the House to bills originating in the House, shall be incorporated with the bill by engrossment, and the bill as then engrossed, shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of the Committee on Engrossed Bills, whose

report to the House shall set forth in writing that the bill is truly engrossed, and that the printed copy furnished to the members is correct.

SENATE AMENDMENTS:

SEC. 10. If a bill passed by the House be returned amended by the Senate, the House shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments.—[Constitution, Article 4, Section 30.]

HOW AMENDED AFTER ENGROSSMENT:

SEC. 11. No bills shall be amended after engrossment without a reconsideration of said engrossment, and if said bill be amended, it shall again be engrossed and printed.—[Barclay's Dig., p. 24.]

AFTER ENGROSSMENT AND PRINTING;

SEC. 12. When the Committee on Engrossed Bills shall report a bill truly engrossed and printed, it shall be taken up in its order, and the question shall then be: "Shall the bill be read a third time and put upon its passage?" and after a third reading it shall be put immediately upon its passage without debate.

SHALL NOT BE INTRODUCED, WHEN:

SEC. 13. No bill shall be introduced within ten days of the last day of the session.

VOTE ON FINAL PASSAGE, HOW TAKEN:

SEC. 14. The vote on the final passage of a bill shall be taken by yeas and nays, and the names of the members voting for and against the same shall be entered on the journal.—[Const., Art. 4, Sec. 31.]

MOTION TO RECONSIDER:

SEC. 15. When a bill is put upon its final passage, and, failing to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the House proceeds to any other business.—[Const., Art. 4, Sec. 35.]

COURSE AFTER PASSAGE:

SEC. 16. When a bill or joint resolution passes, it shall be certified by the clerk, noting the day of its passage at the foot thereof; and shall not be transmitted to the Senate until the second day thereafter, unless a motion has been made to reconsider the vote by which the bill passed, and that motion laid on the table.—[Barclay's Dig., p. 24.]

REFERENCE TO COMMITTEE, HOW ORDERED:

SEC. 17. If a motion be made to refer a petition, memorial or paper to a standing committee, it shall be so ordered by the Speaker without a question, unless objection be made to such reference.

ARTICLE VI—OF THE ORDER OF THE BUSINESS OF THE DAY.

MORNING HOUR:

SECTION 1. The first hour in the morning, after the House is called to order, shall be employed as follows:

1. Prayer by the Chaplain.
2. Reading of the journal.
3. Introduction of resolutions.
4. Presentation of petitions, memorials and remonstrances.
5. Introduction of joint or concurrent resolutions, and bills for first and second reading and reference only.

At the close of the hour, if there be no further business in this order, the Speaker, or any member, may call for the regular or special order, which shall be immediately taken up, except the roll is being called or the vote being counted up. And at the beginning of each morning session, the House shall take up the business belonging to the morning hour at that point of the morning order at which the House went into the regular order the day previous. No motion shall be entertained to suspend the order of business as provided in this section.

JOURNAL SHALL BE READ:

SEC. 2. On the appearance of a quorum, the journal of the preceding day shall be read.

ORDER OF BUSINESS:

SEC. 3. After the journal is read, business shall be disposed of in the following order:

1. Petitions, memorials and remonstrances.
2. Resolutions.
3. Concurrent resolutions.
4. Joint resolutions.
5. Introduction of bills.
6. Reports of standing committees.
7. Reports of select committees.
8. Second reading of House bills.
9. Third reading of House bills.
10. Bills, reports and other business on the table.
11. Messages from the Senate.
12. First reading of Senate bills.

13. Senate bills on second reading.
14. Senate bills on third reading.
15. Order of business.

ORDER OF BUSINESS TO BE ANNOUNCED BY SPEAKER:

SEC. 3. The Speaker shall, on each day, announce to the House the business in order, agreeably to the preceding rule; and no business shall be taken up or considered until the class to which it belongs be declared to be in order; but communications from the Governor and all messages from the Senate may be read, and reports from the Committee on Enrollment received, at any time; and the unfinished business in which the House is engaged at the last preceding adjournment shall have preference of the orders of the day.

ARTICLE VII—OF PROCEEDINGS, DECORUM AND DEBATE.

MEMBERS SHALL RISE AND ADDRESS SPEAKER:

SECTION 1. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to "Mr. Speaker;" shall confine himself to the question under debate, and avoid personality. The Speaker shall not recognize any member desiring to speak unless such member rise at his desk.

SPEAKER TO NAME MEMBER ENTITLED TO SPEAK:

SEC. 2. When two or more members rise at once, the Speaker shall name the member who is first to speak, the others rising having the preference next to speak.

MOTIONS MUST BE READ BEFORE DEBATED:

SEC. 3. When a motion is made and seconded, it shall be handed to the Chair, and read aloud by the Clerk before debated.

MOTION MUST BE SECONDED:

SEC. 4. No motion shall be stated or debated until it is seconded; and when stated by the Speaker or read by the Clerk, shall be deemed in possession of the House, but may be withdrawn at any time before a decision or amendment, by leave of the House.

TO BE REDUCED TO WRITING:

SEC. 5. Every motion shall be reduced to writing, if the Speaker or any member desire it.

AMENDMENTS MUST BE OF SAME SUBJECT-MATTER AS PROPOSITION UNDER CONSIDERATION:

SEC. 6. No motion or proposition, on a subject different from that under consideration, shall be admitted under color of amendment.

No bill or resolution shall, at any time, be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

PRIVILEGED MOTIONS :

SEC. 7. When a question is under debate, no motions shall be entertained but to adjourn ; to lie on the table ; for the previous question ; to postpone to a day certain ; to commit, or amend, or postpone indefinitely, which several motions shall have precedence in the order in which they are arranged.—[Rules U. S. H. R., page 170, Sec. 42.]

MOTION TO ADJOURN ALWAYS IN ORDER :

SEC. 8. A motion to adjourn shall always be in order, unless a member is speaking, and no member shall leave his seat until the result is declared.

PREVIOUS QUESTION :

SEC. 9. The previous question shall be in this form : " Shall the main question be now put ? " It may be moved and seconded like any other question, but shall only prevail when supported by two-thirds of the members present, and, until decided, shall preclude all further amendment and debate ; and a failure to sustain the same shall not put the matter under consideration from before the House, but the House shall proceed as if said motion had not been made.

MOTIONS NOT DEBATABLE :

SEC. 10. Motions to adjourn, to close debate on pending amendments, to lie on the table, for the previous question, and calls for the orders of the day, shall be decided without debate.

DIVISION OF QUESTION :

SEC. 11. Any member may have, as a personal right, a division of the question, where the sense will admit of it.

MOTION FOR AMENDMENT :

SEC. 12. A motion for an amendment, until decided, shall preclude all further amendments on the main question.

SEC. 13. Motions and reports may be committed at the pleasure of the House.

READING OF PAPER, HOW DETERMINED :

SEC. 14. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by the vote of the House.

MEMBER MAY SPEAK, HOW OFTEN :

SEC. 15. No member shall speak more than twice on the same question without leave of the House, nor more than once until any member choosing to speak shall have spoken ; nor shall any member,

except when reporting a bill or resolution from a committee, speak for a longer time than five minutes, unless by unanimous consent of the House.

SEC. 16. No member shall name another member in debate.

BREACH OF ORDER OR DECORUM, HOW PUNISHED :

SEC. 17. If any member, in speaking or otherwise, shall transgress the rules of the House, the Speaker shall, or any member may, call him to order ; in which case the member so called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide on the case without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed ; if otherwise, and the case require it, he shall be liable to the censure of the House.

ORDER OF QUESTIONS :

SEC. 18. All questions shall be propounded in the order in which they were moved, except privileged questions, which shall be propounded as stated in the seventh section of this article ; and in filling up blanks, the largest sum and longest time shall be first put.

DEMEANOR :

SEC. 19. While the Speaker is putting any question or addressing the House, none shall walk out or across the House ; nor in such case, or when a member is speaking, or the journal is being read, shall entertain any private discourse ; nor whilst a member is speaking, shall pass between him and the Chair. While the House is in session, smoking shall not be permitted in the hall.

MEMBER SHALL NOT VOTE, WHEN :

SEC. 20. No member shall vote on any question in the event of which he is personally interested, or in any case in which he is not present.

MEMBERS PRESENT SHALL VOTE :

SEC. 21. Every member who shall be in the House, when a question is put, shall give his vote, unless the House, for special reasons, shall excuse him, and no member without the bar shall vote or be counted in a division.

INDEFINITE POSTPONEMENT :

SEC. 22. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

QUESTION LAID ON THE TABLE CAN NOT BE TAKEN UP :

SEC. 23. When a question has been laid upon the table, the same shall not be taken up again without a vote of two-thirds of the members present.

MOTION TO RECONSIDER MADE, BY WHOM:

SEC. 24. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member who voted on the side which prevailed to move a reconsideration thereof on the same day, or within three days, but not thereafter, nor at any time after the paper on which the vote passed is out of the possession of the House, or the vote shall have been communicated to the Senate.

AYES AND NOES MUST BE ENTERED ON JOURNAL:

SEC. 25. The ayes and noes on any question shall be entered on the journal, at the desire of any two members, if requested before the vote is taken.

HOW AYES AND NOES MUST BE TAKEN:

SEC. 26. On taking the ayes and noes on any question, the names of the members shall be called alphabetically, except the Speaker, who shall be called last; each member shall answer when his name is called, and the absentees shall be noted and their names called over again. No member shall be permitted to interrupt the calling of the ayes and noes by any motion, remarks or explanation of votes.

QUESTIONS TO BE DECIDED WITHOUT DEBATE:

SEC. 27. All questions relating to the priority of business to be acted on shall be decided without debate.

AYES AND NOES TAKEN ON FINAL VOTE:

SEC. 28. At the final vote on every bill, the ayes and noes shall be taken and entered on the journal.

CONFIDENTIAL COMMUNICATIONS:

SEC. 29. Whenever confidential communications are received from the Governor or the Senate, the House shall be cleared of all persons except the members, Clerk, Sergeant-at-Arms, Doorkeeper, and so continue during the reading of such communication; and, unless otherwise decided by the House, during all debates and proceedings to be had thereon; and when the Speaker, or any other member, shall inform the House that he has a communication to make, which he conceives ought to be kept a secret, the House shall, in like manner, be cleared till the communication be made, and the House determine whether the matter requires secrecy or not, and act accordingly.

SENATE AMENDMENTS MAY BE CONCURRED IN BY MAJORITY OF MEMBERS ELECTED, BUT A CONSTITUTIONAL MAJORITY IS REQUIRED FOR FINAL PASSAGE:

SEC. 30. When a bill shall have passed the House, and returned from the Senate with amendments, said amendments may be concurred in by a majority of the members elected; but the question

shall then be put: "Shall the bill, as amended, pass?" and on this the ayes and noes shall be called, and, as on the first passage of the bill, a constitutional majority shall be necessary to its final passage.

WHAT RULES SHALL GOVERN HOUSE:

SEC. 31. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives.

ARTICLE VII--OF COMMITTEES OF THE WHOLE HOUSE.

COMMITTEE OF THE WHOLE FORMED BY MOTION:

SECTION 1. On motion, the House may resolve itself into a Committee of the Whole House, for the consideration of any business which may properly come before it.

CHAIRMAN APPOINTED BY SPEAKER:

SEC. 2. In forming a Committee of the Whole House, the Speaker shall leave his chair, and a chairman preside in committee, who shall be appointed by the Speaker.

PROCEDURE UPON BILL, COMMITTEE OF THE WHOLE:

SEC. 3. Upon a bill being committed to a Committee of the Whole House, the same shall first be read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered; after report, the bill shall again be subject to debate, and amended by clauses, before a question of engrossing be taken.

AMENDMENTS TO MOTION MUST BE INCORPORATED IN ORIGINAL MOTION:

SEC. 4. All amendments made to an original motion, in committee, shall be incorporated with the motion and so reported.

AMENDMENTS SHALL BE NOTED:

SEC. 5. All amendments made to a report, resolution or other matter committed to a Committee of the Whole House, shall be noted and reported, as in case of bills.

RULES OF PROCEEDING:

SEC. 6. The rules of proceeding in the House shall be observed in Committee of the Whole House, so far as they are applicable, except that limiting the number of times of speaking.

WHAT SHALL CONSTITUTE A QUORUM:

SEC. 7. A majority of the members elected shall be a quorum to do business; and if, at any time, a sufficient number shall not be pre-

sent in Committee of the Whole, the committee shall rise, the Speaker resume the chair, and the chairman report the cause of the rising of the committee.

MOTION FOR RISING OF THE COMMITTEE ALWAYS IN ORDER:

SEC. 8. A motion for the rising of the Committee of the Whole shall always be in order, unless a member is speaking, and to be decided without debate.

ARTICLE IX—OF ADMISSION WITHIN THE HALL.

PERSONS ENTITLED TO ADMISSION IN HALL:

SECTION 1. No persons, except members of the Senate and their Secretary, the State officers, Judges of the Supreme and Circuit Courts of the State, Senators and Representatives in the Congress of the United States, the Governor's Private Secretary, and ex-members of either branch of the General Assembly, and stenographers admitted by the Speaker, shall be admitted upon the floor of the Hall of Representatives, unless by order of the House.

ARTICLE X—OF AMENDING RULES.

RULES MAY BE RESCINDED OR AMENDED, HOW:

SECTION 1. No standing rule or order of the House shall be rescinded or changed, or new rule introduced, without one day's notice of the motion therefor.

HOW RULES MAY BE DISPENSED WITH:

SEC. 2. No standing rule or order of the House shall be dispensed with unless two-thirds of the members present concur therein, and all motions for that purpose shall be limited to the question or proposition.

STANDING COMMITTEES.

1. A Committee on Judiciary—McIntyre of Audrain, chairman; Dryden of St. Louis city, Lackland of St. Charles, Wiley of Randolph, Booth of Franklin, Campbell of St. Louis city, Arnold of Scott, Mabrey of Ripley, and Gwynne of Jackson.

2. A Committee on Ways and Means—Davis of Saline, chairman; Dawson of New Madrid, Settles of Marion, Tiernan of Jackson, Finks of Howard, Harrington of Adair, Berryman of Iron, Wells of Platte, Bryan of Barry, Dilley of Caldwell, and Dade of Green.

3. A Committee on Banks and Corporations—Campbell of St. Louis city, chairman; McDaniel of Saline, Kendall of Douglass, Hubbard of Daviess, Saunders of Buchanan, Miles of Polk, Alldridge of Moniteau.

4. A Committee on Internal Improvements—Wisby of Webster, chairman; Cock of Henry, Campbell of Atchison, Cox of Ste. Genevieve, Brewer of Perry, Maynard of Lawrence, Dade of Greene, Chilton of Pettis, Finks of Howard, Dale of Morgan, Pollard of Jasper, Mahn of St. Francois, and Mackey of Pike.

5. A Committee on Federal Relations—Collins of Lafayette chairman; Wiley of Randolph, Booth of Franklin, Farr of Johnson, Carleton of Pemiscot, Lesueur of Lafayette, Brown of Ralls, and Cowan of Holt.

6. A Committee on Constitutional Amendments—Dryden of St. Louis city, chairman; Wiley of Randolph, Hayes of Warren, Gwynne of Jackson, Lackland of St. Charles, Palmer of Wright and Mabrey of Ripley.

7. A Committee on Education—Farr of Johnson, chairman; Cowan of Holt, Chenoweth of McDonald, Spring of Cass, Taylor of St. Louis county, Lackland of St. Charles and Bonham of Andrew.

8. A Committee on Militia—Foster of St. Louis city, chairman; Vancleve of Macon, Hubbard of Daviess, Wisby of Webster, Cloud of Livingston, Younger of St. Clair, Smith of Cedar and Carroll of St. Louis city.

9. A Committee on Criminal Jurisprudence—Hall of St. Louis city, chairman; Bashaw of Monroe, Anderson of Marion, Taylor of St. Louis county, McCormick of St. Louis city, Haynes of DeKalb and Pepper of Pike.

10. A Committee on Justices of the Peace—Pollock of St. Louis city, chairman; Haynes of DeKalb, Louthan of Lewis, Carleton of Pemiscot, Foster of St. Louis city, Hynes of Howell and McGarry of St. Louis city.

11. A Committee on Libraries—Taylor of St. Louis county, chairman; Booth of Franklin, Riley of Buchanan, Ewing of Cooper, Cox of Ste. Genevieve, Craig of Sullivan and Tevis of Johnson.

12. A Committee on Accounts—Vancleve of Macon, chairman; Cox of Ste. Genevieve, Dougherty of Clay, Warren of Maries, Lynn of Scotland, McCormick of St. Louis city and Weygant of Newton.

13. A Committee on Claims—Wells of Platte, chairman; O'Malley of St. Louis city, Pollard of Jasper, Ragan of Jackson, Crowther of Buchanan, Swank of Mississippi and Talbot of Montgomery.

14. A Committee on Agriculture—Moler of Bates, chairman; Mudd of St. Louis county, Larimore of Callaway, Coleman of Carter, Cook of Clinton, Cowan of Christian, Adams of Jackson, Diercks of Osage, Ewing of Cooper, Harrison of Miller, Anderson of Marion, Pollard of Jasper, Andrews of Barton, Burrows of Mercer, Swank of Mississippi and Mudd of Lincoln.

15. A Committee on Manufactures—Greer of Oregon, chairman; Tiernan of Jackson, Powell of Macon, Creager of Shannon, Crow of Crawford, Mahn of St. Francois and Kendall of Douglas.

16. A Committee on Roads and Highways—Tervis of Johnson, chairman; McKill of Vernon, Harrison of Miller, Mackey of Pike, Mudd of Lincoln, Miles of Polk, Boulware of Clark, Chitwood of Reynolds, Berry of Stone, Ingram of Greene and Gray of Putnam.

17. A Committee on Elections—Bashaw of Monroe, chairman; Arnold of Scott, Cowan of Holt, Drum of Bollinger, Chilton of Pettis, McCormick of Washington and Pepper of Pike.

18. A Committee on Engrossed Bills—Haynes of DeKalb, chairman; Smith of St. Louis city, Hayes of Warren, Foster of St. Louis city, Hammons of Chariton, Knight of Harrison and Johnson of Taney,

19. A Committee on Enrolled Bills—Freed of Benton, chairman; Taylor of St. Louis county, Pehle of Franklin, Powell of Macon, Bohannon of Ray, Ham of Butler and Dale of Morgan.

20. A Committee on Local Bills—Ragan of Jackson, chairman; Reynolds of Dallas, Phelan of St. Louis city, Coleman of Carter, Long of Dunklin, Ballew of Carroll and Morrison of Dade.

21. A Committee on Unfinished Business—Organ of Dent, chairman; Windes of Camden, Price of Texas, Ellis of Nodaway, Cooper of Gasconade, Whitaker of Hickory, and Smith of Cedar.

22. A Committee on Swamp Lands—Carleton of Pemiscot, chairman; Creager of Shannon, Hale of Stoddard, Long of Dunklin, Dawson of New Madrid, Manistre of St. Louis city, and Souder of Ozark.

23. A Committee on Deaf and Dumb and Lunatic Asylums—Riley of Buchanan, chairman; Larimore of Callaway, Moler of Bates, Haynes of DeKalb, O'Malley of St. Louis city, Collins of Lafayette, Ellis of Nodaway, and Campbell of St. Louis city.

24. A Committee on Blind Asylum—McCormick of St. Louis city, chairman; Dodson of Pulaski, Pollock of St. Louis city, Manistre of St. Louis city, Cock of Henry, Powell of Macon, Knight of Harrison, and Harrigan of St. Louis city.

25. A Committee on Benevolent and Scientific Institutions—Cowan of Holt, chairman; Lackland of St. Charles, Kendall of Douglas, Arnold of Scott, Adams of Jackson, Dade of Greene, Dougherty of Clay, and Powers of Wayne.

26. A Committee on Immigration—O'Malley of St. Louis city, chairman; Turner of Madison, Berry of Stone, Beckner of Laclede, Harrigan of St. Louis city, McElvain of Worth, and Phelan of St. Louis city.

27. A Committee on Penitentiary—Lesueur of Lafayette, chairman; Bashaw of Monroe, Settles of Marion, Harrison of Miller, Kneisley of Boone, Pehle of Franklin, and Diercks of Osage.

28. A Committee on Printing—Organ of Dent, chairman; Craig of Sullivan, Lesueur of Lafayette, McKill of Vernon, Brady of St. Louis city, Creager of Shannon, and Lockhart of Grundy.

29. A Committee on County Boundaries—Bryan of Barry, chairman; Chenoweth of McDonald, Cooper of Gasconade, McKinney of Gentry, Weygandt of Newton, Lynn of Scotland, and Younger of St. Clair.

30. A Committee on Mines and Mining—Bowman of Phelps, chairman; Dade of Greene, Maynard of Lawrence, Pollard of Jasper, Chitwood of Reynolds, Palmer of Wright, Hynes of Howell, and Mahn of St. Francois.

31. A Committee on Insurance—Louthan of Lewis, chairman; McKill of Vernon, Tiernan of Jackson, Bashaw of Monroe, Patterson of Linn, Mott of St. Louis city, and Harrington of Adair.

32. A Committee on Retrenchment and Reform—Anderson of Marion, chairman; Warren of Maries, Wells of Platte, Turner of Madison, Withers of Knox, Burford of Cape Girardeau, Rawlings of Shelby, Adams of Jackson, Hammons of Chariton, Johnson of Taney, Price of Texas, and Carroll of St. Louis city.

33. A Committee on Permanent Seat of Government—Cox of Ste. Genevieve, chairman; Ewing of Cooper, Louthan of Lewis, Palmer of Wright, Brady of St. Louis city, Maynard of Lawrence, and Price of Texas.

34. A Committee on State University—Kneisley of Boone, chairman; Dryden of St. Louis city, Rawlings of Shelby, Waggener of Jefferson, Dawson of New Madrid, Booth of Franklin, and Mudd of St. Louis county.

35. A Committee on Township Organization—Waggener of Jefferson, chairman; Rawlings of Shelby, Patterson of Schuyler, Burrows of Mercer, Boulware of Clark, and Crow of Crawford.

36. A Committee of St. Louis Delegation—Foster, chairman; Brady, Campbell, Carroll, Dryden, Hall, Harrigan, Manistre, Mott, McCormick, McGarry, O'Malley, Phelan, Pollock and Smith.

JOINT RULES OF BOTH HOUSES.

SECTION 1. When the business requires the attendance of the Senate in the Representatives's Chamber, they, with their Secretary, shall be conducted within the bar, and there seated; and when so assembled, the President of the Senate shall preside, and every member of the Senate and House of Representatives shall be at liberty.

to make motions and debate, and the rules of the House of Representatives shall govern, as if that House were in Committee of the Whole House.

SEC. 2. When a message shall be sent from one House to the other, it shall be announced by the Doorkeeper thereof, and the import thereof respectfully communicated to the Speaker or President, as the case may be, by the person by whom it is sent.

SEC. 3. Bills may originate in either House, and may be amended or rejected by the other, and every bill shall be read on three different days in each House.—[Const., Art. 4, Sec. 26.]

SEC. 4. All amendments adopted by either House to a bill pending and originating in the same, shall be incorporated with the bill by engrossment, and the bill as thus engrossed shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the House shall set forth in writing that they find the bill truly engrossed, and that the printed copy furnished to the members is correct. [Const., Art. 4, Sec. 29.]

SEC. 5. If a bill passed by either House be returned thereto amended by the other, the House to which the same is returned shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments.—[Const., Art. 4, Sec. 30.]

SEC. 6. No amendments to bills by one House shall be concurred in by the other, except by a vote of the majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against, recorded upon the journal thereof; and reports of committees of conference shall be adopted in either House only by vote of a majority of the members elected thereto, taken by yeas and nays; and the names of those voting recorded upon the journal.—[Const., Art. 4, Sec. 32.]

SEC. 7. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two Houses in open session; and before signing the bill he shall suspend all other business, and state that the bill will now be read. If no objections are made, the bill will then be read; after the reading of which he will attach his signature to the same, that it may become a law. The signing of the same shall be noted on the journal, and the bill immediately sent to the other House. If objections are made to the fourth reading of the bill, the objections shall then be heard, after which the bill shall take the course as prescribed in section 37, Article 4 of the Constitution.—[Const., Art. 4, Sec. 37.]

SEC. 8. When a bill has been signed, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, and of the Chief Clerk of the House, if the bill originated in the House, to present the same in person, on the same day on which it was signed, to the Governor, and enter the fact on the journal. Every bill presented to the Governor, and returned within ten days, approved by him, shall become a law.—[Const., Art. 4, Sec. 38].

SEC. 9. Every bill, returned without the approval of the Governor, and with his objections thereto, shall stand as reconsidered in the House to which it is returned. The House shall cause the objections of the Governor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Governor thereto notwithstanding?" The vote upon the question shall be by yeas and nays, and the names entered upon the journal. If two-thirds of all the members elected to the House vote in the affirmative, the presiding officer of that House shall certify the fact on the roll, attesting the same by his signature; the bill, with the objections of the Governor, shall then forthwith be sent to the other House, where like proceedings shall be had in relation thereto; if the bill receive a like majority of the votes of all the members elected to that House, the vote being taken by yeas and nays, the presiding officer shall thereupon, in like manner certify the fact upon the bill. The bill thus certified shall be deposited in the office of the Secretary of State, as an authentic act, by the Clerk of the House, if it originated in the House, or the Secretary of the Senate, if it originated in the Senate. The bill shall become a law, in the same manner and with like effect as if it had received the approval of the Governor.—[Const., Art. 4, Sec. 39].

SEC. 10. All orders and resolutions requiring the approbation of the Governor shall also be previously examined and signed, and shall be presented in the same manner and by the same person as provided in case of bills.

SEC. 11. When a bill or resolution, which shall have passed one House, shall be signed in the other, notice thereof shall be given the House in which the same originated.

SEC. 12. When any papers may come officially before either House of the General Assembly, or any communication of the Governor, and are proper to be acted upon by both Houses, the House before whom such papers are laid, or to whom such communications are made, shall, as soon as they have proceeded and acted upon the same, lay a copy before the other House.

SEC. 13. When a vacancy shall happen in either House, notice thereof shall be given to the other House.

SEC. 14. All messages and communications between the two Houses shall be conveyed by the Clerk of the House originating the same.

Which was read and adopted.

House bill No. 59, entitled An act to repeal an act entitled an act to provide for the registration and licensing of dogs; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 60, entitled An act regulating fees of witnesses; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 61, entitled An act relating to the State Treasury; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 62, entitled An act to amend section ten of chapter one hundred and thirty-one of the General Statutes of 1868, entitled of dower; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 63, entitled An act to amend an act authorizing the imprisonment of persons convicted of misdemeanors in other places than county jails; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 64, entitled An act to limit fees of judge of probate; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceeding of *habeas corpus* between the parent of such minor and any person not the parent, approved March 15, 1877; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 66, entitled An act to amend an act entitled an act to provide for the manner of selecting and summoning grand and petit jurors for courts of record in counties having a population of less than twenty thousand inhabitants, approved March 15, 1875; was call up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 67, entitled An act to provide for the enforcement of the Constitution and laws of the State; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 68, entitled An act declaring law journals to be newspapers; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 69, entitled An act to amend an act entitled an act in relation to roads and highways, provide for establishing, opening and repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 70, entitled An act in relation to public school fund; was called up, read the second time, and, on motion, referred to Committee on Education.

House joint and concurrent resolution No. 5, entitled Joint and concurrent resolution in regard to the sale of leaf tobacco, as effected by the revenue laws of the United States, enacted June 6, 1872; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House joint and concurrent resolution No. 8, entitled Joint and concurrent resolution instructing our Senators and Representatives to vote for, and support, by all honorable means, the bill now pending before Congress, placing the enrolled militia of the several States in the late war, upon an equality with the regular volunteer soldiers, with respect to the right of homestead by section 2306 of the Revised Statutes of the United States; was called up, read the second time, and, on motion, referred to Committee on Federal Relations.

House joint and concurrent resolution No. 9, entitled Joint and concurrent resolution in relation to war claims; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Mr. Campbell of St. Louis introduced bill No 82, entitled An act to amend section 11, chapter 477 of Wagner's Statutes, entitled Dower; which was read the first time, and laid over.

Mr. Dougherty introduced bill No. 83, entitled An act to promote the science of medicine and surgery; which was read the first time, and laid over.

Mr. Waggener offered the following:

Resolved, That Mott of St. Louis, be added to the Special Committee providing for the investigation of the affairs of the Treasurer; which was read and adopted.

Mr. Wells introduced bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, entitled of the Register of Lands; which was read the first time, and laid over.

Leave of absence was granted to Mr. Cock for three days.

Leave of absence was granted Mr. Taylor for three days.

Mr. Diercks offered the following resolution:

Resolved, That Mr. Swank be added to the Committee on Agriculture; which was read and adopted.

The Speaker announced the following as Special Committee on part of the House under Senate concurrent resolution No. 1:

Messrs. McDaniel, Foster, McIntyre, Patterson of Linn, Brown, Cook and Knight.

Mr. Chilton moved that the House adjourn until 9½ o'clock Monday morning; which was not agreed to.

Mr. Foster moved that when the House adjourn, it adjourn until 10 o'clock Monday morning.

The ayes and nays being demanded, the motion was not agreed to by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Carroll, Chilton, Cock, Davis, Dryden, Finks, Foster, Hammons, Manistre, McDaniel, Patterson of Linn, Pepper, Pollock, Rawlings and Withers—18.

NOES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis City, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Younger—109.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Campbell of Atchison, Collins, Harrigan, Harrington, Mott, O'Malley, Settles, Smith of St. Louis city and Tevis—9.

ABSENT WITH LEAVE—Messrs. Brady, Long, Mackey and Tiernan—4.

SICK—Messrs. Crow and Ham—2.

Leave of absence was granted to Mr. Farr for three days.

Leave of absence was granted to Mr. Larimore for three days.

On motion of Mr. Lackland, the House adjourned until 10 o'clock to-morrow morning.

NINTH DAY—SATURDAY, January 18, 1879.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

Mr. Burrows offered the following resolution :

Resolved, That the use of this Hall be granted to the Greenback members of this General Assembly for their use on Monday night, January 20, 1879 ; which was read and adopted.

Mr. Patterson of Linn offered the following resolution :

Resolved, That all committees, whose duties shall call them away from the seat of government, only three of the members thereof—the chairman and two others, selected by the chairman from different parts of the State, shall make such visitations as are necessary ; which was read.

On motion of Mr. McCormick of St. Louis, it was laid over until Monday, January 20, 1879.

Mr. Powers offered the following resolution :

WHEREAS, the salaries and fees of the State and county officers was fixed, by law, in times of prosperity and plenty, and long before the great shrinkage in values of real estate and all products of the farmer and laboring class of the State ; therefore, be it

Resolved, That a special committee of three be appointed to confer and act with the Committee on Retrenchment and Reform on the practicability of a reduction of the salaries and fees of State and county officers, in view of bringing them nearer in harmony with the shrinkage of the times, and report to this House by bill or otherwise at an early day ; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Diercks offered the following resolution :

Resolved, That the Commissioners of Public Printing be authorized to appoint a competent person to translate the Governor's message into German, and that the translator be paid for his services out

of the contingent fund of the House after his bill shall have been approved by the aforementioned Commissioners of Public Printing; which was read, and, on motion, referred to the Committee on Printing.

Mr. Hammons offered the following resolution :

Resolved. That the Committee on Township Organization be and they are hereby instructed to inquire into the expediency of re-adopting township organization, or providing by law for its adoption by such counties as may choose to do so, and report an early day, by bill or otherwise; which was read and adopted.

Mr. Collins offered the following resolution :

Resolved, That the name of B. O. Cowan of Holt, be added to the Committee on Federal Relations; which was read and adopted.

Mr. Foster offered the following resolution :

Resolved, That John R. Carroll of St. Louis city be added to the Committee on Militia; which was read and adopted.

Mr. Lockhart introduced bill No. 86, entitled An act regulating the sale of lands under deeds of trust and mortgages with power of sale; which was read the first time and laid over.

Leave of absence was granted to Mr. O'Malley for two days.

Mr. Bowman introduced bill No. 85, entitled An act entitled an act to amend section 15 Wagner's Statutes, chapter 55 of attachments and executions; which was read the first time and laid over.

Mr. Bryan introduced bill No. 87, entitled An act to amend the school law; which was read the first time and laid over.

Mr. Harrison introduced bill No. 88, entitled An act to repeal an act entitled an act to provide for the taxing and licensing of manufacturers in this State; which was read the first time and laid over.

Leave of absence was granted to Mr. Bowman for two days.

Leave of absence was granted to Mr. Harrington for three days.

Mr. Dougherty introduced bill No. 89, entitled An act to amend article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of another section; which was read the first time and laid over.

Mr. Dade introduced bill No. 90, entitled An act to compel railroad companies to give receipt for freight; which was read the first time and laid over.

Mr. Mahn introduced bill No. 91, entitled An act entitled an act to amend section 51 of an act entitled an act dividing the State into judicial circuits prescribing the times of holding courts therein and repealing all acts and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Wells introduced bill No. 92, entitled An act to provide for the manner of selecting and summoning grand and petit juries for the courts of record; which was read the first time and laid over.

Mr. Taylor introduced bill No. 93, entitled An act to provide for winding up the affairs of insolvent insurance companies; which was read the first time and laid over.

Mr. Ewing introduced bill No. 95, entitled An act to change the time of paying taxes; which was read the first time and laid over.

Mr. Organ introduced bill No. 96, entitled An act to repeal an act entitled an act to provide for the holding of courts by the judge of another circuit, and for the selection of a temporary judge in certain cases; which was read the first time and laid over.

Mr. Brown introduced bill No. 94, entitled An act to amend section 8 of an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30th, 1872; which was read the first time and laid over.

Mr. Taylor introduced bill No. 97, entitled An act to amend an act entitled insurance, other than life; which was read the first time and laid over.

Mr. Anderson from Committee on Retrenchment and Reform submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to which which was referred the resolution requesting said committee to inform the House what committees are entitled to the services of a clerk, and what compensation said clerks should receive, beg leave to report the following resolutions, and recommend that the same do pass:

Resolved, 1. That the chairman of the following committees of the House, to-wit: The Judiciary Committee, Ways and Means, and Accounts, are hereby authorized to appoint clerks for their respective committees.

2. That the chairman of the Committee on Penitentiary is hereby authorized to appoint a clerk, who shall discharge the duties of clerk for the committees both on Penitentiary and Criminal Jurisprudence.

3. That the chairman of the Committee on Retrenchment and Reform is hereby authorized to appoint a clerk, who shall discharge the duties of clerk for the Committee on Retrenchment and Reform, the Committee on Agriculture and the Committee on Roads and Highways.

4. That the chairman of the Committee on Banks and Corporations is hereby authorized to appoint a clerk, who shall discharge the duties of clerk of said committee, and also of that on Elections.

5. That the chairman of the St. Louis Delegation is hereby authorized to appoint a clerk, who shall serve both that committee and the Committee on Militia.

6. That said clerks receive, in full of all compensation for their services, each the sum of three dollars and fifty cents per day.

7. That no committee clerk shall receive pay for any time prior to the adoption of this resolution, except the clerk of the Committee on Accounts—the appointments above provided for to be made whenever, in the opinion of the chairman authorized to make the appointment, there is sufficient business before the committee to require the services of a clerk; which was read.

On motion of Mr. Taylor, the further consideration of the report was postponed until Tuesday morning next.

Mr. Riley, from the Committee on Deaf and Dumb and Lunatic Asylums, submitted the following report :

MR. SPEAKER: Your committee, to whom was referred a resolution asking for information as to the number of copies of reports of each of the above named institutions ought to be published and the cost thereof, beg leave to report that they believe it will require two thousand copies of each report to supply the wants of the institution and the members of the Legislature. From information obtained of public printer it will cost \$56, approximately, to print two thousand copies of Deaf and Dumb Asylum report, and \$124 dollars to publish two thousand copies of the report of Asylum No. 2. Should the House order two thousand copies of each of the above institutions printed, it will cost \$150 less than was paid by the State for the printing of the last biennial report of the above named institutions.

The committee suggest, in view of the fact that additional copies cost but a trifle after the first impression, that if the House should order the printing of said reports it would be better to print more than two thousand than less than that number.

Your committee also report in relation to resolution asking one thousand copies of the report of Asylum No. 2 be printed for the use of the House, beg to report that they are not of opinion that the House requires so great a number; which was read and adopted.

On motion of Mr. McDaniel, one thousand copies of the Report of the Register of Lands, was ordered printed and the report referred to the Committee on Ways and Means.

Leave of absence was granted to the Special Committee on Revision for to-day.

House bill No. 71, entitled An act to repeal section two of an act entitled an act to amend section two of chapter one hundred and fifty-three of the General Statutes of Missouri, relating to mortgages and deeds of trust, approved May 15th, 1877; was called up, read the second time and, on motion, referred to the Committee on Judiciary.

House bill No. 72, entitled An act to regulate hedges on public highways, was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union military bonds and the interest due thereon, approved February 15th, 1870; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 74, entitled An act to prohibit railroad companies cleaning stock cars on any but enclosed lands; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 75, entitled An act to repeal sections 17, 18 and 19 of an act to locate and dispose of the congressional land grant of July 2d, 1862, to endow, support and maintain schools of agriculture and mechanic arts, and a school of mines and metallurgy and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life, approved February 24th, 1870; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 76, entitled An act to amend section 33 of chapter 189 of the General Statutes of the State of Missouri, relating to landlords and tenants; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 77, entitled An act to amend section 2, chapter 173 of the General Statutes of Missouri, entitled costs; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 78, entitled An act regulating the salaries and fees of Prosecuting Attorneys; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 79, entitled An act to regulate the building of barbed wire fence; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 80, entitled An act to amend an act entitled an act to provide for the registration and licensing of dogs; was called up, read the second time, and, on motion, referred to Committee on Agriculture.

House bill No. 81, entitled An act to amend an act to provide for taxing and licensing manufactures; which was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 82, entitled An act to amend section 11, chapter 47 of Wagner's Statutes, entitled of dower; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 83, entitled An act to promote the science of medicine and surgery; was called up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

House bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, entitled the Register of Lands; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House joint and concurrent resolution No. 10, entitled Joint and concurrent resolution in relation to tax on leaf tobacco; was called up, read the second time, and, on motion, referred to Committee on Federal Relations.

Mr. McDaniel offered the following resolution:

WHEREAS, It has pleased an all wise Providence to remove from this life a beloved son of our friend and colleague, the Hon. H. G. Mackey of Pike county; therefore,

Be it resolved by the House of Representatives of the 30th General Assembly of the State of Missouri: That we do hereby tender unto our said friend and colleague, and his family, our most sincere sympathy and condolence, in this, their hour of bereavement; which was read and adopted.

Mr. Hammons offered the following resolution:

Resolved, That the Committee on Judiciary be and they are hereby instructed to inquire into the advisability of abolishing the State board of equalization, and report what legislation, if any, is necessary to that end; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Cowan of Christian offered the following resolution:

Resolved, That the name of Mr. Mudd of Lincoln county be added to the Committee on Agriculture.

By consent of the House, Mr. Diercks was relieved from the Committee on Internal Improvements, and Mr. Mackey substituted in his place.

On motion of Mr. Bryan, the House adjourned until 10:30 o'clock Monday morning.

TENTH DAY—MONDAY, January 20, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

Leave of absence was granted to Mr. Hale, for four days.

Mr. Larimore offered the following resolution :

Resolved, That the heater just placed in the House be removed; which was read.

Mr. Davis offered the following amendment:

And placed in the room now occupied by the Ways and Means Committee; which was read and agreed to.

The question recurring on the resolution as amended, it was adopted.

Mr. Vancleve offered the following resolution :

Resolved; That Hon. P. L. Powers of Wayne county be added to the Committee on Accounts; which was read and not adopted.

Mr. Hynes offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government and the doorkeeper of the House be required to furnish for the information of the House the names of all persons employed by him at the State's expense, the services rendered by each, and the pay per diem of each; which was read and adopted.

Mr. Vancleve introduced a joint and concurrent resolution, entitled Amemorial to Congress for the reduction of salaries ; which was read the first time and laid over.

Mr. Knight introduced a joint and concurrent resolution, entitled Joint and concurrent resolution requesting the Representatives and instructing the Senators in the Congress of the United States from this State to take action concerning national finances ; which was read the first time and laid over.

Mr. Warren introduced bill No. 98, entitled An act to repeal section seven of an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners ; which was read the first time and laid over.

Mr. Bryan introduced bill No. 99, entitled An act to amend section seven of chapter 96 of the General Statutes, being section seven

of chapter 106 of Wagner's Statutes, entitled peddlers' licenses ; which was read the first time and laid over.

Mr. Chilton introduced bill No. 101, entitled An act to amend section one of an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877 ; which was read the first time and laid over.

Mr. Mahn introduced bill No. 100, entitled An act entitled an act to amend an act entitled an act to provide for the taxing and licensing of manufacturers in the State ; which was read the first time and laid over.

Mr. Ellis introduced bill No. 102, entitled An act to amend section seven, chapter ninety-eight, General Statutes of 1865, entitled of dram-shop keepers and their licenses ; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 103, entitled An act to amend section eighteen of chapter 139 of the General Statutes of Missouri, the same being section eighteen of chapter eighty-five of Wagner's Statutes, entitled of landlords and tenants ; which was read the first time and laid over.

Mr. Patterson of Linn introduced bill No. 104, entitled An act to tax bonds and judgments on bonds and other obligations issued by counties and incorporated cities and towns, and to provide for the collection thereof ; which was read the first time and laid over.

Mr. Louthan introduced bill No. 105, entitled An act to amend an act entitled roads and highways ; which was read the first time and laid over.

Mr. Larimore introduced bill No. 108, entitled An act to regulate and limit the compensation of clerks of county courts ; which was read the first time and laid over.

Mr. Davis introduced bill No. 112, entitled An act for the government of cities of the fourth class ; which was read the first time and laid over.

Mr. Ballew introduced bill No. 106, entitled An act to repeal sections 42, 43 and 44 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19th, 1870, approved March 26, 1874 ; which was read the first time and laid over.

Mr. Wells introduced bill No. 107, entitled An act taxing express companies doing business in this State ; which was read the first time and laid over.

Mr. Farr introduced bill No. 109, entitled An act to amend section

2 of chapter 95 of the General Statutes, entitled of auctioneers and their licenses; which was read the first time and laid over.

Mr. Gray introduced bill No. 111, entitled An act to secure the payment of injuries done to persons and property; which was read the first time and laid over.

Mr. Warren introduced bill No. 110, entitled An act for the further protection of game; which was read the first time and laid over.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 7, entitled An act to amend chapter 98 of the General Statutes of Missouri, entitled dramshop-keepers and their licenses, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment to the title; which was read.

House bill No. 7, entitled An act to amend chapter 98 of the General Statutes of Missouri, entitled of dramshop-keepers and their licenses, was taken up, with the following amendment recommended by the Committee on Ways and Means: Insert the words "section 7 of" after the word "amend," in the title; which was read and agreed to, and the bill, as amended, ordered engrossed and printed.

House bill No. 85, entitled An act to amend section 15, Wagner's Statutes, chapter 55, of attachments and executions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 86, entitled An act regulating the sale of lands under deeds of trust and mortgages, with power of sale; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No 87, entitled An act to amend the school law; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 88, entitled An act to repeal an act to provide for the taxing and licensing of manufactures in this State; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 89, entitled An act to amend Wagner's Statutes, in relation to benevolent, religious and educational associations; was called up, read the second time, and, on motion, referred to Committee on Benevolent and Scientific Institutions.

House bill No. 90, entitled An act to compel railroad companies to give receipts for freight; was called up, read the second time, and, on motion, referred to Committee on Internal Improvements.

House bill No. 91, entitled An act entitled an act to amend section 51 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith ; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 92, entitled An act to provide for the manner of selecting and summoning grand and petit jurors for courts of record ; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 93, entitled An act to provide for the winding up the affairs of insolvent insurance companies ; was called up, read the second time, and, on motion, referred to Committee on Insurance.

House bill No. 94, entitled An act to amend section 8 of an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872 ; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House-bill No. 95, entitled An act to change the time of paying taxes ; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 96, entitled An act to repeal an act entitled an act to provide for the holding of courts by the judge of another circuit, and for the selection of a temporary judge in certain cases ; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 97, entitled An act to amend an act entitled insurance other than life ; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

The resolution introduced by Mr. Patterson of Linn, on the 18th inst., in relation to the visitation of House committees to the State Institutions ; was called up.

Mr. Organ offered the following substitute :

Resolved, That it is not considered necessary that committees of this House, having in charge matters pertaining to the several benevolent and scientific institutions and asylums of this State, should visit said institutions during the session of this General Assembly, and that the expense of such visitations, if made, shall not be allowed by the Committee on Accounts of this House ; which was read and not adopted.

Mr. McGarry moved the previous question.

The question being, "Shall the main question be now put?" it was agreed to.

The question recurring on the adoption of the resolution, the ayes and noes being demanded, the resolution was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ewing, Foster, Freed, Gray, Greer, Ham, Hammons, Haynes, Harrison, Lesueur, Lockhart, Mabrey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, Palmer, Patterson of Linn, Pehle, Pollard, Powers, Price, Ragan, Riley, Saunders, Souder, Spring, Swank, Tevis, Turner, Vancleve, Warren, Wells, Wiley, Windes and Withers—78.

NOES—Messrs. Andrews, Bashaw, Bowman, Campbell of Atchison, Carroll, Chitwood, Cooper, Cowan of Holt, Craig, Dade, Ellis, Farr, Finks, Gwynne, Hayes, Hall, Hubbard, Haynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Louthan, Lynn, Mackey, Manistre, Maynard, Mott, Mudd of St. Louis county, McCormick of St. Louis city, McDaniel, McIntyre, McKinney, Organ, Pepper, Phelan, Powell, Rawlings, Reynolds, Settles, Smith of Cedar, Waggener, Weygandt, Whitaker and Mr. Speaker—48.

ABSENT—Messrs. Harrigan, Patterson of Schuyler, Pollack and Smith of St. Louis city—4.

ABSENT WITH LEAVE—Messrs. Brady, Cock, Dryden, Hale, Harrington, O'Malley, Talbot, Taylor, Tiernan and Wisby—10.

SICK—Messrs. Creager, Long and Younger—3.

Mr. Campbell moved a reconsideration of the vote by which the resolution was adopted.

Mr. Burrows moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Ballew, Beckner, Bryan, Burrows, Chilton, Cloud, Dale, Freed, Gray, Greer, Ham, Lockhart, Morrison, Mudd of Lincoln, McElvain, Patterson of Linn, Price, Ragan, Turner, Vancleve, Wells and Windes—24.

NOES—Messrs. Adams, Anderson, Arnold, Bashaw, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis, Carleton, Carroll, Chenoweth, Chitwood, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Dawson, Diercks, Dilley,

Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Hall, Hammons, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis, McDaniel, McGarry, McIntyre, McKinney, Organ, Palmer, Pehle, Pepper, Phelan, Powell, Powers, Rawlings, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Swank, Tevis, Waggener, Warren, Weygandt, Wiley, Withers and Mr. Speaker—92.

ABSENT—Messrs. Berry, Booth, Dade, Harrigan, Kendall, McCormick of Washington, McKill, Patterson of Schuyler, Pollock, Pollard, Riley, Smith of St. Louis, Spring, Whitaker and Wisby—15.

ABSENT WITH LEAVE—Messrs. Brady, Cock, Dryden, Hale, Harrington, O'Malley, Talbot, Taylor and Tiernan—9.

SICK—Messrs. Creager, Long and Younger—3.

The question recurring on the motion to reconsider the vote by which the resolution was adopted; it was agreed to.

Mr. Davis offered the following substitute:

Resolved, That the Committee on Asylums be authorized to visit the different institutions of the State and report to this House their condition, and how they are managed; which was read.

Mr. Settles offered the following amendment to the substitute:

Resolved, That the committee constitute five members of each committee, four of whom shall be selected living at the greatest distance from the said institutions to be visited; which was read, and pending the consideration of which,

On motion of Mr. Palmer, the House adjourned until 9 1-2 o'clock to-morrow morning.

ELEVENTH DAY.—TUESDAY, January 21, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

The resolution, with substitute and amendment, pending at the hour of adjournment on yesterday, was taken up.

By consent of the House, Mr. Settles withdrew the amendment offered by him.

The question recurring on the substitute offered by Mr. Davis; it was adopted.

Mr. McKinney presented a petition in relation to the passage of an act to amend section 2 and section 3 of an act entitled An act to prevent domestic animals from running at large in those counties which, by majority vote may decide to agree thereto; which was read and referred to Committee on Agriculture.

Mr. Ewing presented a memorial and report of the committee appointed by the Missouri State Grange in relation to the salaries paid State and county officers; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Collins presented a petition in relation to the salaries of State and county officers; which was read and referred to Committee on Retrenchment and Reform.

Mr. Farr offered the following resolution:

Resolved, That the report of the Superintendent of Public Schools, with accompanying documents, be printed under the supervision of said Superintendent, in numbers and kind, and for the uses following: 350 copies, bound in the style of the 27th report, for the use of the Superintendent; 1,150 copies, unbound, for the use of the Superintendent; 680 copies, unbound, for the use of the Senate, and 1,470 copies, unbound, for the use of the House of Representatives; which was read and adopted.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate joint and concurrent resolution No. 3, entitled joint and concurrent resolution declaring the present session of the Legislature the revising session, as provided in article 4, section 41 of the Constitution of the State of Missouri, in which the concurrence of the House is respectfully requested.

Respectfully,

W. Y. PEMBERTON,

Secretary Senate.

Which was read.

Mr. Taylor offered the following resolution:

Resolved, That the Committee on Education are requested to report to this House what number of children entitled to participate in the benefits of the State school fund have been reported, from the

city of St. Louis, for the last five years, and what sums of money have been paid out of said city upon said reports; which was read and adopted.

Mr. Farr presented a report of the St. Louis public schools; which was read, and, on motion, referred to the Committee on Education.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 24, entitled An act to abolish the office of prosecuting attorney, and provide for the election of circuit attorney, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Mr. Hynes moved to reject the report of the committee.

Mr. Anderson moved to postpone the further consideration of the report until Tuesday, January 28, 1879; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 39, entitled An act to amend section 26, chapter 80 of Wagner's Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do not pass; which was read and adopted.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House resolution B., relating to the State Board of Equalization, beg leave to report that they have considered the same, and report that the present Board of Equalization is a constitutional office, and cannot be abolished without amending the Constitution, and recommend that it be referred to the Committee on Ways and Means, for the reason that the consideration of all questions relating to the revenue properly belongs to that committee; which was read and adopted.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 9, entitled an act to amend section 22 of article 1 of chapter 38 of Wagner's Statutes of Missouri, relating to costs in civil cases, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 9, entitled An act to amend section 22 of article 1 of chapter 38 of Wagner's Statutes of Missouri, relating to costs in

civil cases, was taken up, with substitute recommended by the Committee on Judiciary; the substitute was agreed to, and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 73, entitled an act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union Military bonds and the interest due thereon, approved February 10, 1870, beg leave to report that they have considered the same, and recommend that it be referred to Committee on Claims; which was read and adopted.

Mr. Davis moved to reconsider the vote by which House bill No. 7 was ordered engrossed and printed; which was agreed to.

On motion of Mr. Davis, House bill No. 7 was recommitted to the Committee on Ways and Means.

The special order for the hour being the report of the Committee on Retrenchment and Reform, in relation to committee clerks necessary to be employed by the House, was called up.

Mr. Brown offered the following amendment:

Amend by striking out after the words three dollars, the words and fifty cents; which was read.

Mr. Campbell of St. Louis offered the following substitute:

Strike out three dollars and one half, and insert five dollars; which was read.

The ayes and noes being demanded, on the adoption of the substitute, it was not adopted by the following vote:

AYES—Messrs. Brady, Brewer, Campbell of St. Louis city, Carleton, Carroll, Collins, Cooper, Cox, Dryden, Farr, Foster, Freed, Hayes, Hall, Ham, Hammons; Harrigan, Hubbard, Kneisley, Lackland, Larimore, Louthan, Lynn, Mabrey, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Patterson of Linn, Patterson of Schuyler, Phelan, Saunders, Smith of St. Louis city, Tevis, Whitaker, Wisby, Younger and Mr. Speaker—45.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Gray, Greer, Gwynne, Haynes, Harrington, Harrison, Hynes, Ingram, Johnson, Kendall, Knight, Lesueur, Lockhart, Mackey, Mahn, Miles, Mudd of Lincoln,

McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Withers—87.

ABSENT—Messrs. Arnold, Berry, Burford, Davis, Dawson, Finks and Pollock—7.

ABSENT WITH LEAVE—Messrs. Hale and Tiernan—2.

SICK—Messrs. Creager and Long—2.

The question recurring on the amendment, it was not agreed to.

Mr. Tevis offered the following amendment:

Amend by striking out the words "Committee on Roads and Highways" wherever it appears in the report; which was read and agreed to.

Mr. Foster offered the following amendment:

Amend as follows: That the words "three dollars and fifty cents" be stricken out and the words "four dollars and fifty cents" be inserted in lieu thereof; which was read and not agreed to.

The question recurring on the adoption of the report of the Committee on Retrenchment and Reform; it was not adopted.

On motion of Mr. Foster, the report was recommitted to the Committee on Retrenchment and Reform.

On motion of Mr. Collins, the House proceeded to the election of a United States Senator from this State, to fill the unexpired term of Lewis V. Bogy, deceased, ending March 4, 1879.

The Speaker announced nominations in order.

Mr. Davis nominated James Shields of Carroll county.

Mr. Pepper nominated Thomas J. C. Fagg of Pike county.

Mr. Maynard nominated Charles G. Burton of Vernon county.

There being no further nominations, the House proceeded to vote, with the following result:

FOR MR. SHIELDS—Messrs. Anderson, Arnold, Bashaw, Belch, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harriگان, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pol-

lock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Wisby—102.

FOR MR. FAGG—Messrs. Adams, Aldridge, Andrews, Ballew, Beckner, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, Palmer, Pepper, Powell, Reynolds, Withers and Younger—23.

FOR MR. BURTON—Messrs. Bonham, Cooper, Harrington, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis, Souder, Smith and Whitaker—12.

ABSENT—Messrs. Berry and Dawson—2.

ABSENT WITH LEAVE—Messrs. Hale and Tiernan—2.

SICK—Messrs. Creager and Long—2.

A majority of the whole number of votes having been cast for James Shields, the Speaker declared him the choice of the House of Representatives for Senator of the United States from this State, to fill the unexpired term of the Hon. Lewis V. Bogy, deceased, and that the same be entered in the journal of the House.

The hour of 12 o'clock having arrived, the House took up the special order, it being the election by a *viva voce* vote of a Senator of the United States from this State for six years from the fourth of March next.

The Speaker declared nominations in order.

Mr. Dryden nominated George G. Vest of Jackson county.

Mr. Dade nominated Harry E. Eshbaugh, of Jefferson county.

Mr. Manistre nominated Mr. Gustavus A. Finkelburg, of St. Louis city.

There being no further nominations, the House proceeded to vote with the following result :

FOR MR. VEST—Messrs. Anderson, Arnold, Bashaw, Belch, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Phelan, Pollack, Pollard, Powers, Price, Ragan, Rawlings,

Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Wisby—99.

FOR MR. ESHBAUGH—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Burford, Burrows, Cloud, Cowan of Christian, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—25.

FOR MR. FINKELNBURG—Messrs. Bonham, Cooper, Crowther, Harrington, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis, Pehle, Souder, and Smith of Cedar—13.

ABSENT—Messrs. Berry and Dawson—2.

ABSENT WITH LEAVE—Messrs. Hale and Tiernan—2.

SICK—Messrs. Creager and Long—2.

A majority of the whole number of votes having been cast for George G. Vest, the Speaker declared him the choice of the House of Representatives for Senator of the United States, from this State, for six years from the 4th of March next, and that the same be entered on the journal of the House.

Mr. Berryman offered the following resolution:

WHEREAS, To-morrow, at 12 M., Hon. George G. Vest will be elected by the Senate and House in joint session convened; and,

WHEREAS, There are a large number of wives of Senators and Representatives, as well as other visitors, at present in the city, who are anxious to be present at that hour; therefore, be it

Resolved, By this House, that the Doorkeeper be instructed to so arrange the chairs, and, if necessary, furnish more chairs, to the end that all visitors may be accommodated.

Which was read and adopted.

The Speaker announced the following special committee, under resolution of Mr. Spring, in relation to reorganizing the judicial circuits:

Messrs. Spring, Arnold, Finks, Tevis and Bashaw.

The Speaker laid before the House the following communication from Mr. Moore, Doorkeeper.

MR. SPEAKER: In compliance with resolution passed yesterday, asking for the number, station and per diem of employes under my direction, I have the honor to submit the following:

One (1) wood sawyer.. ..	at \$2 50
Two (2) wood and coal carriers.....	at 2 50 each.
One (1) privy cleaner	at 2 50
One (1) lamp lighter for grounds and House, at	2 50

Three (3) hall cleaners.....at 2 50 each.

Three (3) com'tee room tenders (6 rooms), at

Very respectfully,

HENRY E. MOORE,

Doorkeeper and Com. Per. Seat Gov.

Which was read and referred to the Committee on Retrenchment and Reform.

On motion of Mr. Davis, the House adjourned until 9½ o'clock to-morrow morning.

TWELFTH DAY—WEDNESDAY, January 22, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Powers, the further reading was dispensed with.

Mr. Powers offered the following resolution :

WHEREAS, The State Prison is not self-sustaining, and has been a great burden on the revenue of the State, whilst the same can be made a source of revenue to the State, by extending the wise policy, partially inaugurated, of classing all convicts of the same trade together, and leasing out that particular trade to any expert in that particular trade, thereby consolidating all the labor of one kind under one or more experts at their own risks; therefore, be it

Resolved, That the Warden of the State Prison is hereby required to report to this House, at as early a day as practicable :

1. How many distinct branches of business are now carried on in the prison, and how many men at each.

2. What other branches of business could be profitably organized, and how many hands to each branch.

3. How many hands yet remaining who have no trade.

4. With any other information to aid in making the prison a source of revenue to the State; which was read and adopted.

Mr. Hammons introduced a joint and concurrent resolution entitled Concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the State Constitution, providing

that criminals may be proceeded against by indictment or information, as may be provided by law; which was read the first time and laid over.

Mr. Ragan, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred House bill No. 45, entitled An act to prevent the netting of fish in the "cut-off" situated on the southeast quarter of section 10, and northeast quarter of section 15, township 57, range 24, Livingston county, Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 45, entitled An act to prevent the netting of fish in the "cut-off" situated on the southeast quarter of section ten (10) and northeast quarter of section fifteen (15), township fifty-seven (57), range twenty-four (24), Livingston county, Missouri; was taken up and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House joint and concurrent resolution No. 3, entitled Joint and concurrent resolutions instructing our Senators and Representatives in Congress to favor the passage of an act giving pensions to surviving soldiers of the Mexican war, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators and Representatives in Congress to favor the passage of an act giving pensions to surviving soldiers of the Mexican war; was taken up and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations to whom was referred House joint and concurrent resolution, No. 5, entitled Joint and concurrent resolution in regard to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6, 1872, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution, No. 5, entitled Joint and concurrent resolution in regard to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6th, 1872; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 7, entitled An act to amend section 7, chapter 98 of the General Statutes of Missouri, relating to dram-shop keepers, beg leave to report that they have considered the same, and recommend that the accompanying substitute be passed ; which was read.

House bill No. 7, entitled An act to amend chapter 98 of the General Statutes of Missouri, entitled of dram-shop keepers and their licenses ; was taken up, with substitute recommended by the committee on Ways and Means ; the substitute was agreed to, and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report :

MR. SPEAKER: Your Committee on Retrenchment and Reform, to which was referred the resolutions on committee clerks and their compensation, beg leave to report that they have carefully considered the same, and recommend that the same do pass, with the following amendment :

Substitute in the third resolution the Committee on Insurance, in the place of the Committee on Roads and Highways ; which was read and adopted.

The following message was received from the Governor, through his private Secretary, Mr. Yost :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
January 21, 1879. }

SIR: It is provided "the State Treasurer shall, immediately after his election or appointment, execute and deliver to the Governor a bond to the State in the sum of one million dollars, with no less than ten securities, to be approved by the Governor, conditioned for the faithful performance of all the duties required, or which may be required of him by law, and for the safety of the State's funds and securities in his custody, which bond shall be renewed every two years." At the time this law was enacted, the term of office of the Treasurer was only two years. It was further provided that if the Treasurer shall fail to give his official bond, as required by law, within sixty days from the day he shall receive his certificate of election or appointment, his office shall thereby be forfeited. The State Treasurer did give his official bond on the 8th day of January, 1877, which is the date of his commission, and within sixty days from the day he received his certificate of election ; and therefore his office cannot be

declared forfeited. The statute further provides, to relieve all doubt, that "the securities of any treasurer, or auditor, shall be held responsible for all acts of their principal till his successor is elected or appointed, commissioned and qualified." The State Treasurer has presented to me a bond for my approval. I cannot approve it, although the sureties justify, in the aggregate, to more than one million of dollars, for only a small portion of the means of one of the wealthiest sureties is within the jurisdiction of this State. Hence, if the State should seek redress from the sureties, it might be compelled to go to other jurisdictions to prosecute its suits.

This bond is presented in renewal of the bond given when he entered on the discharge of his duties as Treasurer. I have no power to compel the Treasurer to renew his bond. I have delayed making a communication of this important matter to the General Assembly, because I have expected a bond, with good and sufficient sureties, would be tendered for my approval. According to the terms of the law, the office is not forfeited, nor is there a vacancy. The office is not forfeited, because it is not declared if the Treasurer shall fail to renew his official bond at the expiration of two years, the office shall be forfeited. This law was made to require a new bond when a Treasurer should be re-elected, and since the tenure of the office of Treasurer has been enlarged, with immediate ineligibility, the law has not been changed to meet such exigency.

Additional legislation is requisite to accomplish the object intended. The Treasurer's bond should be renewed at least every two years, and oftener if the surety shall become inadequate. The penalty for not renewing the official bond at the expiration of two years, or when the sureties shall have died, removed from the State, or become insolvent, and a new bond shall be required, should be removal from office, and this to be done with the advice of the Attorney-General, or the advice of a Judge of the Supreme Court.

A bond with a smaller penalty than one million dollars—perhaps in the sum of from \$500,000 to \$750,000—would be amply sufficient to insure the faithful performance of the duties of State Treasurer, and to secure the State from loss, provided there were suitable and proper laws to enforce the provisions of the 15th section of the 10th article of the Constitution, and provided also, that the Public School Fund and the Seminary Fund of the State shall be made safe in the manner recommended by me in my message, or in some other equally secure manner. It is a difficult matter to give security for one million of dollars, and a bond for a less amount may be good security to the State for the moneys which may be in the custody of the State Treasurer. I hope the General Assembly will speedily legislate on this

subject and prescribe how the moneys of the State shall be deposited with banks, and the kind of security which shall be required, and whether the penalty of the bond of the Treasurer shall be of less amount than now prescribed, and also when the office of Treasurer shall be forfeited.

In my opinion, the deposit of the money of the State with banks, with or without interest, except a small amount for the purpose of paying creditors in distant parts of the State, is bad policy; but it is a constitutional requirement, and must be obeyed.

JOHN S. PHELPS.

HON. J. EDWARD BELCH, Speaker House of Representatives.

Which was read, and, on motion, referred to the Committee on Ways and Means, with instructions that the committee report, at the earliest date possible, what legislation is necessary.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred the report of the Railroad Commissioners, beg leave to report that they have had the same under consideration, and recommend that ten thousand copies be printed for the use of members of the House; which was read and adopted.

Mr. Moler moved to reconsider the vote by which the report of the Committee on Retrenchment and Reform, in relation to the employment of committee clerks by the House, was adopted; which was agreed to.

The report of the Committee on Retrenchment and Reform being before the House,

Mr. Foster offered the following amendment:

Amend by striking out the words \$3.50 and inserting the words \$5.00; which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Arnold, Bashaw, Brady, Brewer, Campbell of St. Louis city, Carleton, Carroll, Chitwood, Cock, Collins, Cowan of Holt, Cox, Craig, Crow, Dilley, Dryden, Farr, Foster, Freed, Ham, Hammons, Harrigan, Harrington, Hubbard, Kendall, Kneisley, Lackland, Larimore, Lockhart, Lynn, Mackey, Manistre, Maynard, Moler, Morrison, Mott, McCormick of Washington, McDaniel, McGarry, McIntyre, O'Malley, Phelan, Pollock, Smith of St. Louis city, Taylor, Tevis, Vaneleve, Whitaker, Wisby, Younger and Mr. Speaker—51.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of Atchison,

Chenoweth, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dodson, Drum, Ellis, Ewing, Finks, Gray, Greer, Gwynne, Hayes, Hale, Hall, Haynes, Harrison, Hynes, Ingram, Johnson, Knight, Lesueur, Louthan, Mabrey, Mahn, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Spring, Swank, Talbot, Turner, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Withers—87.

ABSENT—Messrs. Dougherty and Patterson of Schuyler—2.

ABSENT WITH LEAVE—Mr. Tiernan—1.

SICK—Messrs. Creager and Long—2.

Mr. Wisby moved to lay the report on the table.

The ayes and noes being demanded, upon the motion to lay on the table, it was not agreed to by the following vote :

AYES—Messrs. Arnold, Booth, Brady, Campbell of Atchison, Carleton, Carroll, Collins, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dryden, Finks, Freed, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Kendall, Kneisley, Lackland, Larimore, Louthan, Mackey, Maynard, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Pollard, Ragan, Saunders, Smith of St. Louis city, Taylor, Tevis, Waggener, Whitaker and Wisby—51.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Haynes, Hynes, Ingram, Johnson, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Spring, Swank, Talbot, Turner, Warren, Wells, Weygandt, Wiley, Windes, Withers, and Mr. Speaker—86.

ABSENT—Messrs. Pepper, Vancleve and Younger—3.

ABSENT WITH LEAVE—Mr. Tiernan—1.

SICK—Messrs. Creager and Long—2.

The question recurring on the adoption of the report, and the ayes and noes being demanded, the report was not adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Chenoweth, Chilton, Cloud, Coleman, Cook, Cowan of Christian, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Gray, Haynes, Hynes, Ingram, Johnson, Knight, Lesueur, Mabrey, Miles, Mudd of Lincoln, McElvain, McKill, McKinney, Palmer, Patterson of Linn, Pehle, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Spring, Swank, Talbot, Turner, Warren, Wells, Weygandt, Windes, Withers and Mr. Speaker—62.

NOES—Messrs. Alldridge, Arnold, Bashaw, Bohannon, Booth, Brady, Brewer, Campbell of St. Louis city, Carleton, Carroll, Chitwood, Cock, Collins, Cooper, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dilley, Dryden, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Organ, Patterson of Schuyler, Pepper, Pollock, Powers, Ragan, Saunders, Smith of St. Louis city, Taylor, Tevis, Vancleve, Waggener, Whitaker, Wiley, Wisby and Younger—73.

ABSENT—Messrs. Burrows, Campbell of Atchison, Crowther, Phelan and Hale—5.

ABSENT WITH LEAVE—Mr. Tiernan—1.

SICK—Messrs. Creager and Long—2.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court, was taken up, with substitute recommended by the Committee on Judiciary; the substitute was agreed to and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 11, entitled An act to provide for correcting and

perfecting the laws of the State, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 11, entitled An act to provide for correcting and perfecting the laws of the State, was taken up with substitute recommended by the Committee on Judiciary; the substitute was agreed to and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 1, entitled An act entitled an act in relation to the State Treasury, beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass; which was read.

House bill No. 1, entitled An act relating to the State Treasury, was taken up with the substitute recommended by the Committee on Ways and Means; the substitute was agreed to and ordered printed or information.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to which was referred the report of the Doorkeeper of the House, beg leave to report that they have carefully considered the same, and recommend that the following resolution do pass:

Resolved, That the Doorkeeper of this House is hereby authorized to secure the services of one additional employe, whose compensation shall be \$2.50 per day, and whose duty it shall be to attend to the committee rooms in the capitol building; which was read and adopted.

Mr. Wells offered the following resolution:

Resolved, That the Chief Clerk be instructed to inform the Senate that the House is now ready to receive that body in order that the two Houses may proceed in joint session to cast up the vote, by the Senate and House, for United States Senators; which was read and adopted.

Twelve o'clock m., the time fixed by law for counting and declaring the vote for United States Senators, having arrived,

The Senate, preceded by its officers, entered the hall of the House, and were seated.

A quorum being present,

The President of the Senate took the chair, and called the joint session to order.

In accordance with the law of Congress, the journal of the Senate of the 21st inst. was read by the Secretary of the Senate, from which it appeared that James Shields having received a majority of all the votes cast by the Senate, was named by that body as United States Senator, to fill the unexpired term occasioned by the death of Lewis V. Bogy, ending the 4th day of March next.

In accordance with the law of Congress, the journal of the House of the 21st inst. was read by the Chief Clerk, from which it appeared that James Shields, having received a majority of all the votes cast by the House, was named by that body as United States Senator, to fill the unexpired term occasioned by the death of Lewis V. Bogy, ending the 4th day of March next.

James Shields having received a majority of all the votes cast in both branches of the General Assembly, was by the President declared duly elected United States Senator from Missouri, to fill the unexpired term occasioned by the death of Lewis V. Bogy, ending the 4th of March next.

In accordance with the law of Congress, the journal of the Senate of the 21st inst. was read by the Secretary of the Senate, from which it appeared that George G. Vest, having received a majority of all the votes cast by the Senate, was named by that body as United States Senator for the regular term of six years next ensuing after the 4th day of March, 1879.

In accordance with the law of Congress, the journal of the House of the 21st inst. was read by the Chief Clerk, from which it appeared that George G. Vest, having received a majority of all the votes cast by the House, was named by that body as United States Senator for the regular term of six years next ensuing after the 4th day of March, 1879.

George G. Vest having received a majority of all the votes cast in both branches of the General Assembly, was by the President declared duly elected United States Senator from Missouri, for the regular term of six years next ensuing after the 4th day of March, 1879.

On motion of Senator Major, a committee of five, two from the Senate and three from the House, was appointed to wait upon George G. Vest, and inform him of the action of the joint session.

The President appointed as such committee, Senators Major and Phelan, and Representatives Davis, Mudd of St. Louis, and Cox.

The committee retired and soon reappeared, introducing George G. Vest, the United States Senator-elect, who proceeded to address the joint session.

The business for which the joint session was convened having been finished,

The President declared the joint session dissolved.

The Senate retired to its chamber.

The Speaker called the House to order.

Mr. Carleton announced the death of Mr. Long, member from Dunklin county.

Mr. Carleton introduced the following concurrent resolution:

Concurrent resolution in relation to the death of the Hon. Jesse Long, of Dunklin county:

WHEREAS, It has pleased an ali wise Providence to remove from our midst, by death, an honored and esteemed member of this House, the Hon. Jesse Long, of Dunklin county, who but a few short days since mingled with us in our deliberations here; and,

WHEREAS, In accordance with a time honored custom with legislative bodies for the proper care of their honored dead,

Be it resolved by the House of Representatives, the Senate Concurring therein: That the President of the Senate appoint one member of that body on the part of the Senate and the Speaker of the House of Representatives appoint four members of that body on the part of the House as a committee to take charge of, and accompany the remains of our friend to his late home in Dunklin county and place them in the hands of his bereaved family and friends for proper interment.

Resolved, further, That to the bereaved family of our deceased member and fellow laborer we tender our sincere and heartfelt sympathies, and that while the blow falls heavily upon us and casts a gloom over our body, we feel that it is but another manifestation of the working of that Divine will, unmistakably written all over the works of His hands, that the days of all men are numbered.

Resolved, further, That as a mark of the respect and esteem which this body has for the memory of our deceased fellow laborer, it immediately adjourn and stand adjourned until the regular hour to-morrow morning.

Resolved, further, That a copy of these resolutions be certified under the hand of the Speaker of the House, and attested by the Chief Clerk, to the widow of deceased and his family, and that our proceedings herein be spread upon the Journals of the House and Senate, which was read the first time, rules suspended, read second time, rules further suspended, read the third time, and passed.

The Speaker announced as the committee to accompany the remains of the late Jesse Long to his late home in Dunklin county, Missouri, Messrs Dawson, Arnold, Swank and Hale.

The Speaker declared the House adjourned until 9:30 o'clock to-morrow morning.

THIRTEENTH DAY.—THURSDAY, January 23, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Collins, the further reading was dispensed with.

Mr. Maynard offered the following resolution :

WHEREAS, It is essentially necessary to the health and comfort of members, that this hall should be thoroughly cleaned ; therefore,

Resolved, That the Doorkeeper be and is hereby authorized to employ two additional men to perform said service, and who shall receive in full compensation two dollars and fifty cents per day ; which was read and not adopted.

The following message was received from the Governor through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE,

City of Jefferson, January 23, 1879.

SIR : I have the honor to submit to the General Assembly, in compliance with the provisions of the eighth section of the fifth article of the Constitution, a full list of all persons to whom pardons, reprieves or commutations of punishment have been granted by me from the 8th day of January, 1877, to the 1st day of January, 1879. It is provided that when any convict shall have behaved to the full satisfaction of the Inspectors, according to the rules and regulations of the prison, at the expiration of three-fourths of the time for which such person was sentenced, the Inspectors shall " write and sign a testimony " to that effect, with a recommendation such person be pardoned, which shall be presented to the Governor. The regulation is wise and beneficent. The reward for compliance with the prison regulations, and meritorious conduct, is a diminution of the term of imprisonment. Seldom are pardons refused at the expiration of three-fourths of the term for which the convict is sentenced, when the pardon is recommended by the Inspectors of the Penitentiary. Upon the recommendation of the Inspectors, and in accordance with the provisions of the law, I have granted 969 pardons during the time aforesaid. I have commuted the punishment of death in four cases to imprisonment in the Penitentiary. I have granted twenty-two pardons to persons confined in jails and work houses, and have granted ninety-three full pardons. Lieut. Gov. Brockmeyer, whilst I

was absent from the State, granted ten pardons. A list of the persons who have been the recipients of clemency, with reasons for granting same, is herewith submitted.

Very respectfully,
JOHN S. PHELPS.

Hon. J. Ed. Belch, Speaker House of Representatives.

Which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Burrows offered the following resolution:

Resolved, That the Speaker add one to the Committee on Township Organization, there being but six on that committee; which was read and adopted.

The Speaker added the name of Mr. Patterson of Linn, to the Committee on Township Organization.

Mr. Anderson introduced bill No. 113, entitled An act in relation to charging toll on turnpike, plank and macadamized roads; which was read the first time and laid over.

Mr. Wells introduced bill No. 114, entitled An act to amend section 40 of an act entitled an act for the incorporation and regulation of life assurance companies, approved March 10th, 1869; which was read the first time and laid over.

Mr. Wells introduced bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies, other than life assurance companies, approved March 10th, 1869; which was read the first time and laid over.

Mr. Bonham introduced bill No. 116, entitled An act to amend an act to amend section 1 of chapter 8 of the General Statutes, relating to pay of members of the General Assembly, approved March 18th, 1874, so as to reduce the pay of the officers and members of the General Assembly, and also to amend section 4 of said chapter 8 so as to reduce the pay of clerks, doorkeepers and other officers; which was read the first time and laid over.

Mr. Vancleve introduced bill No. 117, entitled An act in relation to deeds of trust and mortgages; which was read the first time and laid over.

Mr. Mahn introduced bill No. 118, entitled An act entitled an act to amend sections 1 and 40 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes; which was read the first time and laid over.

Mr. Cowan of Holt introduced bill No. 119, entitled An act for the relief of Henry Debolt, and to appropriate money therefor; which was read the first time and laid over.

Mr. Hubbard introduced bill No. 120, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30th, 1872, approved April 12th, 1877; which was read the first time and laid over.

Mr. Bryan introduced bill No. 121, entitled An act to amend an act regulating costs in criminal cases, and the collection of the same; which was read the first time and laid over.

Mr. Dryden introduced bill No. 122, entitled An act to prevent the licensing or taxing, by municipal corporations, of certain professions; which was read the first time and laid over.

Mr. Drum introduced bill No. 124, entitled An act to amend an act entitled an act to provide for the collecting of delinquent taxes, and taxes due on real estate and personal property, forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 21, 1872, by adding a new section thereto, providing for the redemption by the owner of said property sold under said act within twelve months after such sale; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 123, entitled An act to provide for affidavits and certificates of publication in certain cases; which was read the first time and laid over.

Mr. McKill introduced bill No. 125, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118 125, 136, 137, 138, 139, 144, 145 and 137 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

Mr. Burrows introduced bill No. 128, entitled An act to prevent marriage without license; which was read the first time and laid over.

Mr. Mott of St. Louis city introduced bill No. 126, entitled An act to appropriate money to pay Joseph W. Branch; which was read the first time and laid over.

Mr. Knight introduced bill No. 127, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto; which was read the first time and laid over.

Mr. Ingram introduced bill No. 129, entitled An act to amend section 2 of an act entitled an act to amend and consolidate into one act the various acts in relation to the city of Springfield, and add new sections thereto, approved March 30, 1874, so as to leave out of the cor-

porate limits, of said city, certain farming and other lands; which was read the first time and laid over.

The following notice of publication and affidavit was attached to the bill:

NOTICE—We hereby give notice that we will apply to the Legislature at its ensuing session, to change the corporate limits of the city of Springfield, by striking out the following, viz: Beginning at the southeast corner of section thirteen and running west — rods to the cotton factory lot; thence north to the northeast corner of said lot; thence west to the center line of section 13; thence north to the northern boundary line of the city.

Geo. M. Jones, Jno. M. Richardson, James Burns, Orto Feed, Jerry Whiteside, Susan Cornish, D. B. Knapp, John Boyles, J. S. Moss, J. T. Fyer.

State of Missouri, }
County of Greene, } ss.

D. C. Kennedy, on his oath, says, that the advertisement, a copy of which is hereto annexed, was published in the Springfield Leader, a newspaper published in Greene county, and of which he is publisher, four weeks, as follows: In numbers 41, 42, 43 and 44, volume 12, dated December 26, 1878, and January 2, 9 and 16, 1879.

D. C. Kennedy.

Sworn to and subscribed before me this 19th day of Feb., 1879.

Witness my hand and seal of office at Springfield, Mo., the day and year above written. Commission expires June 12, 1882.

[SEAL.]

P. T. Simmons,
Notary Public.

Mr. Tevis introduced bill No. 130, entitled An act relating to the pay of members of the General Assembly; which was read the first time and laid over.

Mr. Mudd of St. Louis city introduced bill No. 131, entitled An act to amend sections 30 and 31 of chapter 41 of the General Statutes of Missouri, entitled of the incorporation of towns, election and powers of trustees, etc., the same being sections 30 and 31 of chapter 134 of Wagner's Missouri Statutes; which was read the first time and laid over.

Mr. Mudd of St. Louis county introduced bill No. 132, entitled An act to repeal an act entitled an act to incorporate the town of Kirkwood, approved February 20, 1865, together with all acts amendatory thereof, and especially the act amendatory of the original act aforesaid, approved February 27, 1869; which was read the first time and laid over.

The following notice of publication, and affidavit accompanies the bill:

To whom it may concern:

Take notice that we, the undersigned, householders of the incorporated town of Kirkwood, Missouri, will apply to the 30th General Assembly of the State of Missouri for the enactment of a special law to repeal a special act entitled "An act to incorporate the town of Kirkwood," passed by the General Assembly of the State of Missouri, and approved the 20th day of February, A. D. 1865, together with all the acts amendatory thereof, and especially the act amendatory of the original act aforesaid, approved February 27th, 1869.

Henry T. Mudd, John Pitman, Wm. E. Burr, T. S. Warren, Lemuel G. Pardee, H. S. Jacobi, Chas. W. Murtfeldt, G. W. Fishback, John J. Matthews, Theo. Herge, Jos. R. Matthews, John Hoffman, Egbert W. Halsey.

December, 1878.

State of Missouri, }
County of St. Louis. }

John Hoffmann, of lawful age, being duly sworn on his oath, says: that on the 7th day of December, A. D., 1878, he posted ten handbills, (of which a copy is hereto attached), in ten public places in the town of Kirkwood, in said county, and one on the Court House door of said county.

John Hoffmann.

Sworn to and subscribed before me, this 7th day of January, 1879.

[SEAL.]

Hugh S. Jacobi,
Notary Public.

I was qualified as a Notary Public, July the 27th, 1876, for a term expiring July 20th, 1882.

Mr. Spring introduced bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions; which was read the first time and laid over.

Mr. Berryman introduced bill No. 135, entitled An act to amend section one, chapter three, General Statutes of Missouri, in relation to homestead; which was read the first time and laid over.

Mr. Craig introduced bill No. 136, entitled An act to exempt mortgaged real estate from taxation; which was read the first time and laid over.

Mr. Louthan introduced bill No. 133, entitled An act to amend section eight of chapter forty-eight of Wagner's Statutes, entitled dramshops; which was read the first time and laid over.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report :

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 6, entitled An act to consolidate the offices of county collector and county treasurer, and to fix the compensation thereof, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 6, entitled An act to consolidate the offices of county collector and county treasurer, and to fix the compensation thereof; was taken up, with substitute recommended by the Committee on Retrenchment and Reform; the substitute was agreed to, and ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report :

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 72, entitled An act to regulate hedges on highways, have had the same under consideration, and have instructed me to report the same back to the House with the accompanying substitute for said bill, with the recommendation that the substitute do pass; which was read.

House bill No. 72, entitled An act to regulate hedges on highways; was taken up with substitute recommended by the Committee on Roads and Highways.

On motion of Mr. Davis, the bill, with substitute, was made the special order for Monday next, and the substitute ordered printed for information.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 16, entitled An act to provide a jury system in cities having over 50,000 inhabitants, beg leave to report that they have considered the same, and recommend that it do pass, with amendments herewith submitted; which was read.

House bill No. 16, entitled An act to provide a jury system in cities having over 50,000 inhabitants; was taken up, with the following amendments, recommended by the Committee on Judiciary.

Amendment No. 1.—Strike out section 27 of said bill as offered, and in lieu thereof, substitute the following :

SEC. 27. The jury commissioner, now holding office by virtue of the scheme prepared by a board of thirteen freeholders in conformity with the provisions of the 20th section of the 9th article of the Constitution of the State of Missouri, and ratified at the election held for

the ratification or rejection thereof, on the 22d day of August, 1876, shall continue to exercise the powers and duties prescribed by an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and the acts supplementary thereto or amendatory thereof, including said scheme, and be entitled to the compensation therein provided, until the first day of October, 1879, from and after which date the said act and all amendments thereto, and all acts or parts of acts now in force regulating or providing for the summoning and selecting petit jurors in this State, which are in conflict with the provisions of this act, shall be and are hereby repealed; which was read and agreed to.

Amendment No. 2.—Add new sections 28 and 29 respectively, as follows:

SEC. 28. For the purpose of ascertaining to what cities in this State this act shall apply, the several courts of this State shall take judicial notice of the population of the cities thereof, respectively, as the same has been, or may from time to time, be ascertained and declared by authority of the United States or of the State of Missouri, or of any city in this State as the result of any census or enumeration of the inhabitants thereof, made in virtue of any law or municipal ordinance directing such enumeration.

SEC. 29. There being an emergency for the immediate taking effect of this act, in order that the effective operation thereof be not delayed for more than twelve months, and the existing provisions of law touching the subject thereof being inadequate, therefore, this act shall be in force from and after its passage; which was read and agreed to.

Mr. Gwynne offered the following amendment:

Amend by striking out 50,000 where same appears in the bill, and insert in lieu thereof (100,000) one hundred thousand; which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. McDaniel, from the Special Committee on Revision, submitted the following report:

Report of the Special Joint Committee, appointed by the Senate and House of Representatives in pursuance of Senate joint and concurrent resolution No. 1, relating to the best and speediest mode of revising the statute laws of the State, of a general nature, and to examining the work of revision prepared by D. Robert Barclay, Esq.:

MR. SPEAKER: Your committee beg leave to report that they have considered the same, and recommend that a joint committee, consisting of seven members, three from the Senate and four from the

House, be appointed by the presiding officers of the respective Houses as a revising committee, whose duty it shall be to proceed at once to revise all the statute laws of the State, of a general nature, both civil and criminal, and report the same to the two Houses as speedily as is consistent with a careful and accurate revision, and in such manner as will tend to facilitate the work as rapidly as possible; and your committee further report that they have given the work of said D. Robert Barclay a cursory examination, and that they believe the same to be meritorious, and recommend that the Revising Committee procure the use of said work, together with the assistance of said D. Robert Barclay, Esq., and for the purpose of carrying out the provisions of this report and hastening the work of revision, your committee herewith submit the accompanying joint and concurrent resolutions, all of which was respectfully submitted; which was read.

Joint and concurrent resolution providing for the appointment of a special committee to revise all the statute laws of the State, of a general nature, both civil and criminal, and to secure the use of the revision prepared by D. Robert Barclay, Esq., and his services in the preparation of such work, reported by the Special Committee on Revision; was read the first time.

On motion of Mr. Louthan the report of the Special Committee on Revision, and the joint and concurrent resolution introduced by them, was made the special order for 10 o'clock on Saturday next, and ordered printed.

Mr. McIntyre offered the following resolution:

Resolved, That the chairman of the following committees of the House, to-wit: the Judiciary Committee, Committee on Ways and Means and Committee on Accounts are hereby authorized to appoint clerks for their respective committees; that the chairman of the Committee on Penitentiary is hereby authorized to appoint a clerk, who shall also discharge the duties of clerk for the Committee on Criminal Jurisprudence; that the Committee on Retrenchment and Reform is authorized to appoint a clerk, who shall also discharge the duties of clerk of the Committee on Agriculture; that the chairman of the Committee on Banks and Corporations is authorized to appoint a clerk, who shall also discharge the duties of clerk of the Committee on Elections; that the chairman of the Committee of St. Louis Delegation is authorized to appoint a clerk, who shall also discharge the duties of clerk of the Committee on Militia; that the chairman of the Committee on Federal Relations is authorized to employ a clerk, who shall also discharge the duties of clerk of the Committee on Education and Committee on Roads and Highways; which was read.

Mr. McCormick of St. Louis, offered the following amendment :

Amend by allowing the chairman of the Committee on Criminal Jurisprudence to select such clerk as therein provided instead of the chairman of the Committee on Penitentiary; which was read and not agreed to.

Mr. Cox offered the following amendment :

Amend by the following: That when a clerk is allowed to two or more committees that the chairman of the several committees appoint the clerk; which was read and agreed to.

The question recurring on the adoption of the resolution as amended, it was adopted.

House bill No. 98, entitled An act to repeal section 7 of an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners; was called up, read the second time and, on motion, referred to the Committee on Internal Improvements.

House bill No. 99, entitled An act to amend section 7 of chapter 96 of the General Statutes, being section 71, chapter 106 of Wagner's Statutes, entitled peddlers' licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 100, entitled An act entitled an act to amend an act entitled an act to provide for the taxing and licensing of manufactures in this State; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 101, entitled An act to amend section 1 of an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2d, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 102, entitled An act to amend section 7 of chapter 98, General Statutes, 1865, entitled of dramshop keepers and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 103, entitled An act to amend section 18 of chapter 139 of the General Statutes of Missouri, the same being section 18 of chapter 85 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 104, entitled An act to tax judgments on railroad bonds, etc.; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 105, entitled An act to amend an act entitled roads and highways; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 106, entitled An act to repeal sections 42, 43 and 44 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19th, 1870, approved March 26th, 1874; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 107, entitled An act taxing express companies doing business in this State; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 108, entitled An act to regulate and limit the compensation of clerks of county courts; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 109, entitled An act to amend section 2 of chapter 95 of the General Statutes, entitled of auctioneers and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 110, entitled An act for the further preservation of game; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 111, entitled An act to secure the payment for injuries done to persons and property; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House concurrent resolution No. 11, entitled Concurrent resolution to Congress for the reduction of salaries; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Joint and concurrent resolution No. 12, entitled Joint and concurrent resolution memorializing Congress to take action in relation to national finances; was called up, read the second time, and, on motion, referred to Committee on Federal Relations.

House bill No. 112, entitled An act for the government of cities of the fourth class; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House joint and concurrent resolution No. 13, entitled Joint and concurrent resolution submitting to the qualified voters of the State of Missouri, an amendment to the State Constitution, providing that criminals may be proceeded against by indictment or information, as may be provided by law; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Senate joint and concurrent resolution No. 3, entitled Joint and concurrent resolution declaring the present session of the Legislature the revising session, as provided in article 4, section 41 of the Consti-

tution of the State of Missouri; which was read the first time and laid over.

Mr. Farr offered the following resolution:

Resolved, That the Doorkeeper is hereby instructed to return to their proper places the chairs which have been removed from desks 59 and 61 in the House; which was read and adopted.

Mr. Foster introduced a joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the Constitution of said State, regulating the jurisdiction of the St. Louis Court of Appeals; which was read the first time and laid over.

Mr. Foster introduced bill No. 137, entitled An act to amend the practice act in civil cases; which was read the first time and laid over, and, on motion of Mr. Davis, 400 copies ordered printed.

Mr. Dawson introduced bill No. 138, entitled An act to provide for the taxing and licensing of manufactures in this State, approved April 28, 1877, and to provide for the assessment and taxation of property belonging to manufacturers; which was read the first time and laid over.

Mr. Dawson introduced bill No. 139, entitled An act to amend section 2, chapter 14 of the General Statutes of Missouri, so as to create the Governor, Attorney-General and State Auditor, Commissioners of the State Interest Fund; which was read the first time and laid over.

Mr. Dawson introduced bill No. 140, entitled An act to require the State Auditor to ascertain and report the amount due the State school moneys from the State revenue paid into the State treasury, from the first day of March, 1867, to the first day of March, 1875, inclusive, and to provide for the payment thereof; which was read the first time and laid over.

On motion of Mr. Cowan of Holt the House adjourned until half-past nine o'clock to morrow morning.

FOURTEENTH DAY.—FRIDAY, January 24, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Patterson of Linn, the further reading was dispensed with.

Leave of absence was granted Mr. Finks for three days.

Leave of absence was granted Mr. Berryman for one day.

Mr. Maynard offered the following resolution :

Resolved, That when this House adjourns to-morrow, it stand adjourned until Monday, at six o'clock P. M.

2. That the Committee on Permanent Seat of Government be instructed to secure convict labor and remove the carpet from this hall, clean and replace the same ; which was read and adopted.

Mr. Cock offered the following resolution :

Resolved, That a committee of medical experts, consisting of three, be appointed to superintend the cleaning of the hall ; which was read and adopted.

The Speaker appointed as said committee, Messrs. Maynard, Cloud and Gray.

Mr. Wells offered the following resolution :

WHEREAS, By an act of the General Assembly of the State of Missouri, approved April 28, 1877, entitled An act in relation to the public institutions of the State, all public institutions supported in whole or in part by appropriations out of the State treasury, shall, on or before the second Monday in January of each session of the General Assembly, make, under oath, an itemized statement of the actual expense of said institutions, etc. ; and,

WHEREAS, The time for making such report to the present session has passed ; therefore, be it

Resolved, That all such reports that have been made, as required by law, be, and the same are hereby ordered to be turned over to the Committee on Ways and Means, for the use of said committee ; which was read and not adopted.

Mr. Carleton offered the following resolution :

Resolved, That the Hon. P. Swank of Mississippi county, be added to the Committee on Swamp Lands, in place of the Hon. Jesse Long, deceased, late of Dunklin county ; which was read and adopted.

On motion of Mr. McDaniel, the vote by which House joint and concurrent resolution No. 14, providing for the appointment of a special committee to revise all the statute laws of the State, of a general nature, both criminal and civil, and secure the use of the revisions prepared by D. Robert Barclay, and his services in the preparation ; was made special order for Saturday, at 10 o'clock, was reconsidered.

Mr. Cooper introduced a joint and concurrent resolution, entitled Joint and concurrent resolution, in relation to the revision of the Statutes ; which was read the first time and laid over.

Mr. Crow introduced bill No. 142, entitled An act to amend section one of an act of the General Assembly of the State of Missouri, entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; which was read the first time and laid over.

Mr. Lackland introduced bill No. 143 entitled An act to amend section one of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; which was read the first time and laid over.

Mr. Patterson of Linn, introduced bill No. 141, entitled An act to amend section one of an act entitled an act to provide for the levy of a special tax to create a sinking fund for the payment of county, city and town bonded indebtedness, approved April 14, 1877; which was read the first time and laid over.

Mr. Patterson of Linn, introduced bill No. 144, entitled An act to amend section one of an act entitled an act to authorize counties, cities and towns, to compromise their debts, approved April 12, 1877; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 145, entitled An act to amend sections 1, 2, 3 and 4 of an act entitled an act to amend an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; which was read the first time and laid over.

Mr. Johnson introduced bill No. 146, entitled An act to amend an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877, by adding a new section thereto, to be known as section 11; which was read the first time and laid over.

Mr. Hammons introduced bill No. 147, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Talbot introduced bill No. 148, entitled An act to amend section 1 of chapter 68 of Wagner's Missouri Statutes, the same being chapter 111, section 1 of the General Statutes; which was read the first time, and laid over.

Mr. Foster introduced bill No. 149, entitled An act to amend section 5 of an act for the classification of cities and towns, approved April 21st, 1877; which was read the first time and laid over.

Mr. Foster introduced bill No. 150, entitled An act to repeal an act to establish a corporation in the city of St. Louis, for the purpose of public education, and all amendments thereto; which was read the first time and laid over.

Mr. Foster introduced bill No. 151, entitled An act for the purpose of sub-districting cities and towns of the first class for school purposes, to fix the number of school directors in such cities and towns, the time for their election and their powers; which was read the first time and laid over.

Mr. Foster introduced bill No. 152, entitled An act to prescribe the powers and duties of the board of education; which was read the first time and laid over.

Mr. Foster introduced bill No. 153, entitled An act to amend an act entitled an act to regulate the inspection of petroleum oils or fluids, or any product thereof, sold or manufactured for illuminating purposes, approved March 24th, 1870; which was read the first time and laid over.

Leave of absence was granted Mr. Dale for three days.

Leave of absence was granted Mr. Harrison for four days.

Leave of absence was granted Mr. Freed for four days.

Leave of absence was granted Mr. Louthan for four days.

Mr. Mudd of St. Louis was reported sick.

Mr. Turner introduced bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30th, 1872, the same being article 2 of chapter 118 of Wagner's Statutes; which was read the first time and laid over.

Mr. Anderson introduced bill No. 155, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Wells introduced bill No. 157, entitled An act to amend section 8, chapter 98, General Statutes of 1865, entitled dramshop keepers and their licenses; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 159, entitled An act to prevent the sale of deadly weapons to minors; which was read the first time and laid over.

Mr. Cook introduced bill No. 160, entitled An act in relation to the prevention and cure of hog cholera, and Texas cattle disease; which was read the first time and laid over.

Mr. Louthan introduced bill No. 161, entitled An act to amend

sections 4, 9 and 10 of chapter 23 of Wagner's Statutes, entitled bridges; which was read the first time and laid over.

Mr. Brown introduced bill No. 162, entitled An act for the relief of W. D. Bishop, late assessor of the county of Ralls; which was read the first time and laid over.

Mr. Drum introduced bill No. 163, entitled An act entitled an act to relieve from assessment and taxation, personal and real property, incumbered by mortgage or deed of trust; which was read the first time and laid over.

Mr. Drum introduced bill No. 164, entitled An act to amend section 2 of an act entitled an act to provide for the taxing and licensing of manufactures in the State, approved April 28, 1877; which was read the first time and laid over.

Mr. Pollard introduced bill No. 165, entitled An act to amend section 41 of an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto; and to repeal certain acts and parts of acts, approved March 19, A. D. 1870, approved March 26, A. D. 1874; which was read the first time and laid over.

Leave of absence was granted Mr. Ewing for four days.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 33, entitled An act to amend the school law, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 33, entitled An act to amend the school law, was taken up, the question being shall the bill be engrossed and printed. The House refused to order it to engrossment and printing.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 57, entitled An act defining a school month, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 57, entitled An act defining a school month, was taken up. The House refused to order it to engrossment and printing, the question being shall the bill be engrossed and printed.

Mr. Carleton, from the Committee on Swamp Lands, introduced bill No. 156, entitled An act to provide for the formation of drainage districts, to reclaim and drain the swamp and overflowed lands of this State, and to employ the labor of the convicts confined in the State

Penitentiary in that behalf; which was read the first time and laid over.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 97, entitled An act to amend the act entitled insurance other than life, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Insurance; which was read,

House bill No. 97, entitled An act to amend an act entitled insurance other than life, was taken up and referred to the Committee on Insurance.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877; was taken up and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 10, entitled An act in relation to salaries of certain officers, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 10, entitled An act in relation to salaries of certain officers, was taken up, with substitute recommended by the Committee on Retrenchment and Reform.

Mr. Campbell of St. Louis offered the following amendment to the substitute.

Strike out \$2,000 after the word "treasurer," and insert \$4,000; which was read.

The ayes and noes being demanded, the amendment was not agreed to, by the following vote:

AYES—Messrs. Bohannon, Booth, Bowman, Brady, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chilton, Cloud, Cooper, Cox, Crowther, Davis, Dilley, Dryden, Foster, Hayes, Hammons, Harrigan, Kendall, Lackland, Louthan, Mahn, Manistre, Mott, McCormick of St. Louis city, McDaniel, McGarry, O'Malley, Phelan, Pollock, Ragan, Reynolds, Saunders, Smith of St. Louis city, Younger and Mr. Speaker—38.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gray, Gwynne, Ham, Haynes, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Rawlings, Riley, Souder, Smith of Cedar, Spring, Talbot, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, and Withers—88.

ABSENT—Messrs. Dawson, Hall, Maynard, Settles, Taylor, Wiley and Wisby—7.

ABSENT WITH LEAVE—Messrs. Arnold, Berryman, Dale, Finks, Freed, Hale, Swank and Tiernan—8.

SICK—Mr. Mudd of St. Louis.

Mr. Harrington offered the following amendment to the substitute :

Amend by striking out after, the word "treasurer," "two thousand," and insert in lieu thereof "three thousand;" which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Booth, Brady, Campbell of St. Louis, Carleton, Cloud, Cooper, Cowan of Holt, Cox, Crowther, Davis, Dilley, Dryden, Foster, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Kendall, Lackland, Louthan, Mackey, Manistre, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Patterson of Schuyler, Phelan, Pollock, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Waggener, Wisby, Younger and Mr. Speaker—43.

NOES—Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Buford, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of

Christian, Craig, Creager, Crow, Dade, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Ham, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Miles, Moler, Morrison, McCormick of Washington, McIlvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Pollard, Powell, Powers, Price, Rawlings, Souder, Smith of Cedar, Spring, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes and Withers—85.

ABSENT—Messrs. Dawson, Farr, Settles, Taylor and Wiley—5.

ABSENT WITH LEAVE—Messrs. Arnold, Berryman, Dale, Finks, Hale, Maynard, Swank and Tiernan—8.

SICK—Mudd of St. Louis.

Mr. Anderson offered the following amendment to the substitute:

Amend section 4—This act to take effect and be in force from and after the time for which the present State officers were elected and commissioned; which was read and agreed to.

Mr. Dryden offered the following amendment to the substitute:

Amend the substitute by striking out the words "not exceed," as often as they occur in the substitute; which was read and agreed to.

Mr. Hayes offered the following amendment to the substitute:

Amend by striking out after the words Register of Lands, the words "two thousand dollars," and insert the words "fifteen hundred dollars;" which was read and agreed to.

The question recurring upon agreeing to the substitute offered by the Committee on Retrenchment and Reform, as amended; it was agreed to, and, on motion, ordered engrossed and printed.

House joint and concurrent resolution No. 14, providing for the appointment of a special committee to revise all the statute laws of the State, of a general nature, both criminal and civil, and to secure the use of the revision prepared by D. Robert Barclay, and his services in the preparation of such work; was called up, read the second time, and, on motion, made special order for to-morrow morning at 10½ o'clock.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 4, entitled An act to enable counties, cities, towns and townships to fund their bonded indebtedness, in which the concurrence of the House is respectfully requested; which was read.

Mr. O'Malley arose to a question of privilege, in relation to an article which appeared in the *Missouri Republican* of the 20th inst.

Mr. Brady arose to a question of privilege, in relation to an article which appeared in the *Missouri Republican* of the 20th inst.

On motion of Mr. McGarry, the House adjourned until 9½ o'clock to-morrow morning.

FIFTEENTH DAY—SATURDAY, January 25, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Knight, the further reading was dispensed with.

Leave of absence was granted Mr. Moler for two days.

Leave of absence was granted Mr. Saunders for three days.

Leave of absence was granted Mr. Larimore for two days.

Mr. Whitaker was granted leave of absence for three days.

Mr. Foster was granted leave of absence for three days.

Mr. Cooper was granted leave of absence for five days.

Mr. Price offered the following resolution :

WHEREAS, The present uncleanly condition of the basement of the capitol building being considered one of the main causes of the sickness now prevailing among the members of this House ; therefore, be it

Resolved, That the Committee on Permanent Seat of Government, be, and is hereby authorized to call upon the Warden of the Penitentiary for convict labor to properly clean and disinfect the said basement with lime ; which was read, and referred to the Committee on Permanent Seat of Government.

Mr. Cox offered the following resolution :

WHEREAS, The carpets in the rooms used by the employes of the Chief Clerk are in a dilapidated condition ; therefore, be it

Resolved, That the Committee on Permanent Seat of Government be requested to have the same taken up and the rooms cleaned, and if the carpets are found to be unfit for further use, to have them replaced at a cost not to exceed fifty dollars ; which was read and not adopted.

Mr. Hall presented a memorial from the working men in the State of Missouri, in relation to the creating of a bureau of labor statistics ;

which was read, and, on motion, referred to the Committee on Manufactures.

Mr. Collins presented a petition from the citizens of Lafayette county, in relation to the salaries of county officers; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 109, entitled An act to amend section 2 of chapter 95 of the General Statutes, entitled of auctioneers and their licenses, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 109, entitled An act to amend section 2 of chapter 95 of the General Statutes of the State of Missouri, entitled of auctioneers and their licenses; was taken up with substitute recommended by the Committee on Ways and Means; the substitute was agreed to and ordered engrossed and printed.

The special order being House joint and concurrent resolution No. 14, providing for the appointment of a special committee to revise all the statute laws of the State, of a general nature, both criminal and civil, and to secure the use of the revision prepared by D. Robert Barclay, and his services in the preparation of such work; was taken up and ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 69, entitled An act to amend an act entitled an act in relation to roads and highways, providing for establishing, opening and repairing the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they have considered the same, and have instructed me to report the accompanying substitute for said bill back to the House, with the recommendation that the substitute do pass; which was read.

House bill No. 69, entitled An act to amend an act entitled an act in relation to roads and highways, provide for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was taken up with substitute recommended by the Committee on Roads and Highways.

Mr. Patterson of Linn offered the following amendment to the substitute:

Strike out the words four days, and insert the words three days, in the fifth line of section 20 ; which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote :

AYES—Messrs. Adams, Andrews, Berryman, Bonham, Burrows, Cloud, Coleman, Cox, Crow, Dade, Davis, Dilley, Drum, Ellis, Gray, Greer, Hayes, Harrington, Hubbard, Hynes, Kneisley, Knight, Lockhart, Lynn, Mabrey, Manistre, Morrison, Mott, McCormick of Washington, McGarry, McKinney, O'Malley, Patterson of Linn, Pepper, Phelan, Powell, Powers, Price, Rawlings, Riley, Smith of St. Louis city and Vancleve—42.

NOES—Messrs. Alldridge, Anderson, Bashaw, Beckner, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Diercks, Dodson, Dougherty, Farr, Hall, Ham, Hammons, Haynes, Harrigan, Ingram, Johnson, Kendall, Lackland, Lesueur, Mackey, Mahn, Maynard, Miles, Mudd of Lincoln, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Pollard, Ragan, Settles, Smith of Cedar, Spring, Talbot, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Windes, Wisby, Younger and Mr. Speaker—70.

ABSENT—Messrs. Ballew, Berry, Campbell of Atchison, Campbell of St. Louis city, Crowther, Dryden, Ewing, Gwynne, McCormick of St. Louis city, Reynolds, Souder, Taylor, Wiley and Withers—14.

ABSENT WITH LEAVE—Messrs. Arnold, Dale, Dawson, Finks, Foster, Freed, Hale, Harrison, Larimore, Louthan, Moler, Saunders, Swank, Tiernan and Whitaker—15.

SICK—Mr. Mudd of St. Louis—1.

Mr. Bonham offered the following amendment to the substitute: Strike out the words "four days," as reported by the substitute, and insert the words "two days;" which was read and not agreed to.

Mr. Lockhart offered the following amendment to the substitute:

That the report be so amended as to read that the county court shall levy such road tax as they may deem necessary, which shall not be less in any one year than ten cents for each hundred assessed valuation of property of the county ; which was read and not agreed to.

The substitute was not agreed to.

The question being, "shall the bill be engrossed and printed?"

The House refused to order the bill to engrossment and printing.

Mr. Vancleve introduced bill No. 166, entitled An act to amend sections 8 and 31 of chapter 38 of the General Statutes of Missouri,

the same being sections 8 and 31 of article 4 of Wagner's Statutes; which was read the first time and laid over.

Mr. Settles introduced bill No. 167, entitled An act fixing the per diem of the clerks of the Legislature; which was read the first time and laid over.

Mr. Bowman introduced bill No. 168, entitled An act to repeal an act entitled an act to permit persons to testify in their own behalf in criminal cases, approved April 18, 1877; which was read the first time and laid over.

Mr. McGarry introduced bill No. 169, entitled An act concerning the duties of sheriff and constable in the State of Missouri; which was read the first time and laid over.

Mr. Reynolds introduced bill No. 170, entitled An act to amend section 8 of an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877; which was read the first time and laid over.

Mr. Harrington introduced bill No. 171, entitled An act in relation to corporations; which was read the first time and laid over.

Mr. Waggener introduced bill No. 172, entitled An act to amend section 4 of article 3 of chapter 8 of Wagner's Missouri Statutes; which was read the first time and laid over.

Mr. Riley introduced bill No. 173, entitled An act to amend an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870; which was read the first time and laid over.

Mr. Organ introduced bill No. 174, entitled An act to repeal chapter 111 of the General Statutes of Missouri, entitled of estates of homesteads, and to repeal an act amendatory thereto, approved March 24, 1873; which was read the first time and laid over.

Mr. Talbot introduced bill No. 175, entitled An act to amend section 15 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874; was read the first time and laid over.

Mr. Hynes introduced bill No. 176, entitled An act to prohibit the publishing of advertisements of lotteries and gift enterprises; which was read the first time and laid over.

Mr. Hynes introduced bill No. 177, entitled An act to encourage the destruction of rabbits; which was read the first time and laid over.

House bill No. 113, entitled An act in relation to charging toll on turnpikes, plank and macadamized roads; was called up, read the second time, and, on motion, referred to Committee on Roads and Highways.

House bill No. 114, entitled An act to amend section 40 of an act entitled an act for the incorporation and regulation of life assurance companies, approved March 10, 1869, the same being section 40 of article 2 of chapter 76 of Wagner's Missouri Statutes, entitled insurance, life; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business other than life assurance business, approved March 10, 1869, the same being section 44 of article — of chapter 76 of Wagner's Statutes, entitled insurance other than life; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 116, entitled An act to amend an act to amend section 1 of chapter 8 of the General Statutes, relating to pay of members of the General Assembly, approved March 18, 1874, so as to reduce the pay of officers and members of the General Assembly, and also to amend section 4 of said chapter 8 so as to reduce the pay of clerks, doorkeeper and other officers; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 117, entitled An act in relation to deeds of trust and mortgages; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 118, entitled An act entitled an act to amend sections 1 and 40 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 119, entitled An act for the relief of Henry Debolt and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 120, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877; was called up, read

the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 121, entitled An act to amend an act entitled an act to regulate costs in criminal cases, and collection of same, approved March 28, 1874; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 122, entitled An act to prevent the licensing or taxing, by municipal corporations, of certain professions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 123, entitled An act to provide for affidavits and certificates of publication in certain cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 124, entitled An act to amend an act entitled an act to provide for the collecting of delinquent taxes and taxes due on real estate and personal property forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 22, 1872, by adding a new section thereto, providing for the redemption by the owner of said property, sold under said act, within twelve months after such sale; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 125, entitled An act to amend sections 1, 3 and 5 of an act approved April 28, 1877, entitled an act to amend sections 6, 7, 28, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 155 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 126, entitled An act to appropriate money to pay Joseph W. Branch; was called up, read the second time, and, on motion, referred to Committee on Claims.

House bill No. 127, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 128, entitled An act to prevent marriage without license; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 129, entitled An act to amend section two of an act entitled an act to amend and consolidate into one act the various acts in relation to the city of Springfield, and add new sections thereto, approved March 30, 1874, so as to leave out of the corporate limits of

said city, certain farming and other lands; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 130, entitled An act relating to the pay of members of the General Assembly; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 131, entitled An act to amend sections 30 and 31 of chapter 41 of the General Statutes of Missouri, entitled of the incorporation of towns, elections and powers of trustees, etc., the same being sections 30 and 31 of chapter 134 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 132, entitled An act to repeal an act entitled an act to incorporate the town of Kirkwood, approved February 20, 1865, together with all acts amendatory thereof, and especially the act amendatory of the original act aforesaid, approved February 27, 1869; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 133, entitled An act to amend section 8 of chapter 48 of Wagner's Missouri Statutes, entitled dram-shops; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 135, entitled An act to amend section 1 of chapter 3 of the General Statutes of the State of Missouri, in relation to homesteads; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 136, entitled An act exempting from taxation real estate upon which there are mortgages; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 138, entitled An act to repeal an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877, and to provide for the assessment and taxation of property belonging to manufacturers; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 139, entitled An act to amend section 2, chapter 14 of the General Statutes of Missouri, so as to create the Governor, Attorney-General and State Auditor, commissioners of the State interest

fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 140, entitled An act to require the State Auditor to ascertain and report the amount due the State school moneys from the State revenue, paid into the State Treasury from the first day of March, 1867, to the first day of March, 1875, inclusive, and to provide for the payment thereof; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 141, entitled An act to amend section 1 of an act entitled an act to provide for the levy of a special tax to create a sinking fund for the payment of county, city and town bonded indebtedness, approved April 14, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 142, entitled An act to amend section 1 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys arising therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 143, entitled An act to amend section 1 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 144, entitled An act to amend section 1 of an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 145, entitled An act to amend sections 1, 2, 3 and 4 of an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 146, entitled An act to amend an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877, by adding a new section thereto, to be known as section 11; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 147, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of

acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 148, entitled an act to amend section 1, chapter 68 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 149, entitled an act to amend section 5 of an act for the classification of cities and towns, approved April 21, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 150, entitled An act to repeal an act to establish a corporation in the city of St. Louis for the purpose of public education, and all amendments thereto; was called up and read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 151, entitled An act for the purpose of sub-districting cities and towns of the first class for schools purposes, to fix the number of school directors in such cities and towns, the time for their election and their powers; was called up, read the second time, and, on motion, referred to the Committee on Education, and 250 copies ordered printed.

House bill No. 152, entitled An act to prescribe the powers and duties of boards of education; was called up, read the second time, and, on motion, referred to the Committee on Education, and two hundred and fifty copies ordered printed.

House bill No. 153, entitled An act to amend an act entitled an act to regulate the inspection of petroleum oils, fluids, or any product thereof, sold or manufactured for illuminating purposes, approved April 24, 1870; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 155, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 156, entitled An act to provide for the formation of drainage districts, to reclaim and drain the swamp and overflowed lands of this State, and to employ the labor of the convicts confined

in the penitentiary in that behalf ; was called up, read the second time, and, on motion, referred to the Committee on Swamp Lands.

House bill No. 157, entitled An act to amend section 8, chapter 98, General Statutes of 1865, entitled dramshop keepers and their licenses ; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor ; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 159, entitled An act to prevent the sale of deadly weapons to minors ; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 160, entitled An act in relation to the prevention and cure of hog cholera and Texas cattle disease ; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 161, entitled An act to amend sections 4, 9 and 10 of chapter 23 of Wagner's Statutes, entitled bridges ; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 162, entitled An act for the relief of W. D. Bishop, late assessor of the county of Ralls ; was called up, read the second time, and, on motion, referred to Committee on Claims.

House bill No. 163, entitled An act entitled an act to relieve from assessment and taxation personal and real property incumbered by mortgage or deed of trust ; was called up, read the second time, and on motion, referred to Committee on Judiciary.

House bill No. 164, entitled An act to amend section 2 of an act entitled an act to provide for taxing and licensing of manufacturers in the State, approved April 28, 1877 ; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 165, entitled An act to amend section 41 of an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874 ; was called up and read the second time, and, on motion, referred to the Committee on Education.

On motion of Mr. Maynard, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order by the Speaker.

Mr. Maynard offered the following resolution :

Resolved, That the doorkeeper be authorized to continue on duty the two men who have been employed to clean this hall.

2nd, That said men shall report for duty to the Sergeant-at-Arms, who shall in person see that the hall is properly policed; which was read and adopted.

Mr. Gray offered the following resolution :

WHEREAS, The enclosed passage leading from the privy to this building, by its peculiar construction, forms a natural and prolific passage of noxious and unhealthy gases, generated in said privy, into the open ways to these halls, thereby endangering the health and comfort of the members of this House; therefore,

Resolved, That the Commissioner of the Permanent Seat of Government be, and he is hereby authorized and instructed to remove entirely the covering and enclosing of the passage from the privy to this building; which was read and not adopted.

Mr. Brown offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government be directed to remove the siding from the passage way lead from this building to the privies; which was read and referred to the Committee on Permanent Seat of Government.

Mr. Davis introduced bill No. 178, entitled An act to amend chapter 95 of Wagner's Statutes, concerning merchants' licenses, by adding a new section providing for the equalization of the same; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House joint and concurrent resolution No. 14, entitled Joint and concurrent resolution, providing for the appointment of a special committee to revise all the statute laws of the State of Missouri of a general nature, both civil and criminal, and to secure the use of the revision prepared by D. Robert Barclay, and his services in the preparation of such work, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House joint and concurrent resolution No. 14, providing for the appointment of a Special Committee to revise all the statute laws

of the State of Missouri of a general nature, both civil and criminal, and to secure the use of the revision prepared by D. Robert Barclay, and his services in the preparation of such work; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Gray, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Ingfam, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of Cedar, Smith of St. Louis, Spring, Talbot, Tevis, Turner, Waggener, Wells, Weygandt, Windes, Withers and Mr. Speaker—101.

NOES—Mr. Wisby—1.

ABSENT—Messrs. Alldridge, Berry, Burford, Carroll, Chilton, Collins, Crowther, Diercks, Ewing, Lackland, McCormick of St. Louis, McGarry, Pehle, Pepper, Pollock, Pollard, Settles, Taylor, Vancleve, Wiley and Younger—21.

ABSENT WITH LEAVE—Messrs. Arnold, Cooper, Dale, Dawson, Dryden, Finks, Foster, Freed, Hale, Harrison, Larimore, Louthan, Moler, Saunders, Swank, Tiernan and Whitaker—17.

SICK—Messrs. Mudd of St. Louis and Warren—2.

Mr. Dryden was granted leave of absence for one week.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre moved to reconsider the vote by which House bill No. 24, entitled An act abolishing the office of prosecuting attorney and creating the office of circuit attorney, was made special order for Tuesday next; which was agreed to.

On motion of Mr. McIntyre the bill was made special order for 11 o'clock Friday next.

Mr. Maynard moved to reconsider the vote by which the resolution was adopted, setting forth that when the House adjourn to-day, it stand adjourned until 6 o'clock P. M. Monday next; which was agreed to.

On motion of Mr. Maynard, the House adjourned until 9:30 o'clock Tuesday next.

SIXTEENTH DAY—TUESDAY, January 28, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Pepper offered the following resolution :

Resolved by the House of Representatives of the General Assembly of the State of Missouri, as follows: That the thanks of this House are due Doctors Maynard, Gray and Cloud for the prompt, efficient and scientific manner in which they superintended the renovation of this hall, and that a vote of thanks be tendered the afore-said gentlemen for the preservation of our health and the prolongation of our lives; which was read and laid on the table.

Mr. Larimore offered the following resolution :

WHEREAS, The recent burning of State Lunatic Asylum No. 2, at St. Joseph, will require immediate action, on the part of the present General Assembly, looking to the making of some early disposition of the large number of insane, who are made homeless by this disaster; and,

WHEREAS, The finances of the State are not, at this time, in a condition for any measures looking to the rebuilding of said institution; and,

WHEREAS, The Asylum at Fulton, Missouri, is already fully officered, and has all the necessary apparatus for heating and lighting any new additions with but small additional cost thereto; and,

WHEREAS, Such buildings can be added to, with much less cost than to build and equip a new institution; therefore be it

Resolved by the House of Representatives of the State of Missouri, as follows: That the Committee on Lunatic Asylum be instructed to visit the institution at Fulton at an early day to examine its management, and the building and premises, and ascertain what sum will be necessary to make such additions to that institution as will meet present exigencies, and to examine and report if in their judgment it shall be to the best interest of the State to make such additions to that institution; which was read.

Mr. Lesueur offered the following amendment :

Be it Resolved by the House of Representatives of the Thirtieth General Assembly of Missouri, That said committee visit and examine the property known as Limerick Lawn, near Lexington, Mo., and report back to this General Assembly the desirability of the property for a State Asylum for the Insane, and the terms upon which it can be purchased ; which was read.

On motion of Mr. Hall the further consideration of the resolution was postponed until to-morrow morning.

Mr. Patterson of Schuyler offered the following resolution :

WHEREAS, It is apparent to any one who may have noticed the lightning rods on this, the capitol building, that they are unsafe and dangerous to the building in their present condition, the same being secured to the building by copper clasps, nailed to the building with iron nails ; therefore be it

Resolved, That the attention of Commissioner on Capitol Grounds be called thereto, and to have the said lightning rods secured to the building by non-conductor fastenings, and said copper fastenings be removed ; which was read and not adopted.

Mr. Knight offered the following resolution :

WHEREAS, The cause of fully three-fourths of all the crimes committed in the land—and Missouri is no exception,—but rather increases than lessens the ratio—is chargeable to the sale and use of alcoholic stimulants, by which men's minds are clouded, their reason dethroned, and their baser passions fired and crazed, as well as pauperage, penury and want largely augmented, and the taxes of all greatly increased ; therefore be it

Resolved, That the Committee on Ways and Means be, and they are hereby requested, to make a thorough inquiry into the amount of criminal costs, the support of the Missouri Penitentiary and its cost, taking the per centage of convicts that are there as the result of the sale and use of alcoholic liquors ; also to take into account the amount of revenue derived from the licensing of crime, and to report a bill or otherwise, the necessity for repealing all acts by which dram-shops, saloons and drug stores may and are hereby legalized ; which was read and referred to Committee on Ways and Means.

The following message was received from the Senate through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House that there has been introduced into and passed the Senate, Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said court, in which the concurrence of the House is respectfully requested ; which was read.

Mr. Knight offered the following resolution :

Resolved, That the Committee on Constitutional Amendments be, and they are hereby required to report to this House the wisdom and necessity of a constitutional amendment to the present organic law of this State, whereby all intoxicating liquors, foreign or domestic, shall be prohibited from the manufacture and importation in the State of Missouri ; that crimes may be lessened, and peace, order and good government may be increased ; which was read and referred to the Committee on Constitutional Amendments.

Mr. Spring offered the following resolution :

Resolved, That the committee on redistricting the State into judicial circuits be increased to have one member from each circuit ; which was read and adopted.

Leave of absence was granted Mr. McIntyre for three days.

Leave of absence was granted Mr. Pehle for one day.

Leave of absence was granted Mr. Ewing for one day.

Leave of absence was granted Mr. Settles for one day.

Leave of absence was granted Mr. Cloud for four days.

Mr. Diercks reported sick.

Mr. Farr, from the Committee on Education, submitted the following report :

MR. SPEAKER: Your Committee on Education, upon whom was devolved the duty of ascertaining the number of children entitled to participate in the benefits of the State school fund reported from the city of St. Louis for the last five years, and the sums of money paid upon said reports, beg leave to submit the following :

ST. LOUIS CITY AND COUNTY.

Apportionment of 1873, based on enumeration of 1872, filed with the County Auditor, April 1st, 1872 :

White, Males.....	56,982	
“ Females.....	58,557	
		115,539
Colored, Males.....	3,387	
“ Females.....	3,242	
		6,629
Total.....		122,168
Amount of money apportioned.....		\$63,393 08
Per capita.....		0.51892

Apportionment of 1874, based on enumeration of 1873, filed with the County Auditor, April 1st, 1873:

White, Males.....	66,723	
" Females.....	67,257	133,980
Colored, Males.....	3,385	
" Females.....	3,261	6,646
Total.....		140,626
Amount of money apportioned.....	\$81,600 10	
Per capita.....	0.58026328	

Apportionment of 1875, based on enumeration of 1874, filed with the County Auditor, April 7th, 1874:

White, Males.....	72,431	
" Females.....	70,489	142,920
Colored, Males.....	5,139	
" Females.....	5,136	10,475
Total.....		153,395
Amount of money apportioned.....	\$101,146 72	
Per capita.....	0.65938731	

Apportionment of 1876, based on enumeration of 1875, filed with the County Auditor, April 6th, 1875:

White, Males.....	80,528	
" Females.....	78,120	158,648
Colored, Males.....	5,391	
" Females.....	5,493	10,884
Total.....		169,532
Amount of money apportioned.....	\$107,107 87	
Per capita.....	0.6317855755	

Apportionment of 1877, based on enumeration of 1876, filed with the County Auditor, April 4th, 1876. By the Constitution of 1875

two years were dropped from the school age. The following are those from the ages of 6 to 20 years, as certified:

White, Males.....	84,401	
" Females.....	81,706	
	<u> </u>	166,107
Colored, Males.....	5,618	
" Females.....	5,702	
	<u> </u>	11,320
Total.....		177,427
Amount of money apportioned.....	\$131,946 05	
Per capita.....	0.74366389	

By the act of April 24th, 1877, this sum was to be divided between the city and county, and when made was as follows:

City.....	\$125,162 98	
County.....	<u>6,783 07</u>	
		\$131,946 05

COUNTY OF ST. LOUIS.

Apportionment of 1878, based on the enumeration of 1877, filed with the County Clerk of St. Louis county, April 3d, 1877:

White, Males.....	4,929	
" Females.....	4,582	
	<u> </u>	9,511
Colored, Males.....	426	
" Females.....	391	
	<u> </u>	817
Total.....		10,328
Amount of money apportioned.....	\$8,198 47	
Per capita.....	0.79381	

CITY OF ST. LOUIS.

Apportionment of 1878, based on the enumeration of 1877, certified by the Board of President and Directors of the St. Louis Public Schools, January 11th, 1878:

White, Males.....	51,399	
" Females.....	51,966	
	<u> </u>	103,365
Colored, Males.....	1,760	
" Females.....	2,101	
	<u> </u>	3,861
Total.....		107,226
Amount of money apportioned.....	\$85,117 07	
Per capita.....	“(as above.)	

Certified for the apportionment of 1879:

COUNTY OF ST. LOUIS.

White, Males.....	4,999	
“ Females.....	4,059	9,058
Colored, Males.....	406	
“ Females.....	384	790
Total.....		9,848

CITY OF ST. LOUIS.

White, Males.....	44,445	
“ Females.....	49,268	93,713
Colored, Males.....	1,680	
“ Females.....	2,163	3,843
Total.....		97,556

Which was read, and the further consideration postponed until Tuesday, February 4th, 1879.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, }
JEFFERSON CITY, January 28, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I have the honor to submit the first report of John Reid, Esq., Fish Commissioner of this State, showing what measures have been taken to increase the supply of food-fish in the streams of this State. I am of opinion a larger sum of money can be profitably expended in stocking the streams of our State with fish, than was appropriated for that purpose.

Very respectfully,

JOHN S. PHELPS.

To the HON. JOHN S. PHELPS, Governor of Missouri:

The Fish Commissioner of Missouri, appointed in accordance with the law of 1877, respectfully reports the following as the result of his work to the present date:

During the fall of 1878, I received from the “United States Commissioner of fish and fisheries,” two hundred thousand eggs of the California salmon, for the use of the State of Missouri. There is no establishment for hatching embryo in our State, consequently this lot was sent to the State hatchery of Iowa, to be developed. The spawn arrived in excellent condition, and it is gratifying to announce

about ninety-five per cent. were hatched. After they were sufficiently grown, I made arrangements to have the young fry brought to St. Louis for distribution, giving general notice through the press, that they would arrive there in two installments, the first about the 20th of December, 1878, the second about the 5th of January, 1879.

I solicited applications from all who might feel sufficient interest in the enterprise, to give their personal attention to planting them properly; a very general correspondence ensued, yet, as the cans containing the minnows, in no instance, had less than ten thousand, it was not possible for me to furnish a less number; in some instances, consequently, requisitions were not filled. The very remarkable cold prevailing at the time fixed for distribution, prevented others, who had solicited portions, from appearing to receive what had been allotted to them. Still the work of planting about one hundred and ninety thousand young California samlets in Missouri waters has been accomplished in a very satisfactory manner.

In the Meramec and tributaries.....	60,000
In the series of lakes and private waters of St. Louis county	35,000
In Spring river and tributaries.....	30,000
In the Lamine and other streams of Cooper county...	15,000
At Pierce City, for the system of waters from the southwest, heading in that vicinity.....	50,000

In the execution of this work, for the very valuable assistance rendered, and without which it would not have been accomplished, my thanks are due to the Hon. Basil Duke of St. Louis, to the Hon. Henry T. Mudd of Kirkwood, to Dr. J. R. Hereford, H. A. Stephens, Oscar Reid, Mei. Glassgow, T. Jefferson Clark, Esq., and others of St. Louis county, to the Hon. H. J. Maynard of Pierce City, to Judge Jas. P. Betts of Carthage, and Col. Jos. L. Stephens of Boonville; and in this conjunction, I especially desire to acknowledge the courtesy of Capt. Rodgers, Superintendent of the St. Louis and San Francisco Railroad; he generously passed my agent and stock of fish, without charge for transportation.

I respectfully suggest to your Excellency the importance of having within our own territory, a State hatchery, from whence all the considerable streams of the State could be rapidly stocked, at a comparatively small cost; and individuals for their private lakes, might in moderate quantities, (without cost,) under the direction of the Commissioner, be supplied with such varieties as they desired.

That our waters can be restocked and made, in a few years, to yield food-fishes, as abundantly as of yore, has been demonstrated by

the success attending the efforts made, in twenty States, preceding ours, in the undertaking. The appropriation made for the purpose by the Legislature of 1877 is inadequate. In my judgment instead of one, the commission should consist of three or five persons; the correspondence entails more work, the expenditures and distributions more responsibility than one individual should be expected to perform gratuitously.

Very respectfully,

JOHN REID,

Fish Commissioner of Missouri.

Which was read.

On motion of Mr. Maynard, the report of John Reid, fish commissioner, was referred to the Committee on Agriculture, and 500 copies ordered printed for the use of the House.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report :

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 8, entitled An act to regulate the compensation of circuit clerks and ex-officio recorders, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass ; which was read.

House bill No. 8, An act to regulate the compensation of circuit clerks and ex-officio recorder, was taken up with substitute recommended by the Committee on Retrenchment and Reform. The substitute was agreed to.

Mr. Burrows offered the following amendment to the substitute:

In section 2 strike out \$1,200 and insert \$1,000; which was read and not agreed to.

Mr. Mabrey offered the following amendment to the substitute:

Strike out in section three, wherever it may appear, the words "county court of the county," and insert "judge of the circuit court ;" which was read and not agreed to.

Mr. Davis offered the following amendment to the substitute:

Insert after the words "fixed salary," the words "not more than one thousand dollars;" which was read and not agreed to.

Mr. Davis offered the following amendment to the substitute:

Insert after the words "fixed salary," the words "of not more than eight hundred dollars, which was read.

The ayes and noes being demanded, the amendment was agreed to by the following vote:

YEAS—Messrs. Adams, Anderson, Ballew, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cock, Cook,

Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kniesley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Wiley. Windes and Withers—103.

NOES—Messrs. Andrews, Arnold, Beckner, Bohannon, Brewer, Campbell of St. Louis city, Carleton, Carroll, Finks, Lackland, Mudd of Lincoln, Pollock, Price, Younger and Mr. Speaker—15.

ABSENT—Messrs. Alldridge, Burford, Chilton, Coleman, Collins, Cowan of Christian, Ham, McCormick of St. Louis city, Vancleve and Wisby—10.

ABSENT WITHOUT LEAVE—Messrs. Cloud, Cooper, Dawson, Dryden, Ewing, Foster, Freed, McIntyre, Pehle, Settles, Tiernan and Whitaker—12.

SICK—Messrs. Diercks and Pollard—2.

The substitute, as amended, was then ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 49, entitled An act to repeal an act entitled an act to protect trappers, approved March 27, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 49, entitled An act to repeal an act entitled an act to provide for the protection of trappers in the State of Missouri, approved March 27, 1877; was taken up.

The question being, "shall the bill be engrossed and printed?" The House refused to order it to engrossment and printing.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 25, entitled An act supplementary to an act entitled an act in relation to Roads and Highways, etc., ap-

proved April 27, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 25, entitled An act supplementary to an act in relation to roads and highways, etc; was taken up.

The question being, "shall the bill be engrossed and printed?" The House refused to order it to engrossment and printing.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 19, entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 19, entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was taken up.

The question being, "shall the bill be engrossed and printed?" The House refused to order it to engrossment and printing.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 80, entitled An act to amend an act entitled an act to provide for the registering and licensing of dogs, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 80, entitled An act to amend an act entitled an act to provide for the registration and licensing of dogs; was taken up with substitute recommended by the Committee on Agriculture.

Mr. Lackland offered the following amendment to the substitute:

Amend by adding the following at the end of the first section: And such officer shall receive as compensation therefor the sum of ten cents for listing and registering each dog, to be paid out of the taxes collected under the provisions of this act, and not otherwise; which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Campbell of Atchison, Carleton, Cock, Harrigan, Lackland, Manistre and Patterson of Schuyler—7.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boul-

ware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of St. Louis city, Carroll, Chenoweth, Chitwood, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—112.

ABSENT—Messrs. Alldridge, Burford, Chilton, Collins, Hall, Ham, Harrington, McCormick of St. Louis city, McKill, Swank and Wisby—11.

ABSENT WITH LEAVE—Messrs. Cloud, Cooper, Dawson, Dryden, Ewing, Foster, Freed, McIntyre, Penle, Settles and Whitaker—11.

SICK—Messrs. Diercks and Pollard—2.

Mr. Organ offered the following amendment to the substitute:

Amend by adding to the first section the following: Provided, that one cur dog and all fox hounds, shepherd dogs and rat terriers belonging to each head of a family, be exempt from registration and taxation; which was read.

The ayes and noes being demanded, the amendment was agreed to by the following vote:

YEAS—Messrs. Adams, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Bryan, Carleton, Chenoweth, Chitwood, Cock, Coleman, Creager, Crow, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Finks, Gray, Greer, Hale, Harrigan, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Lockhart, Mabrey, Mahn, Manistre, Moler, Mudd of St. Louis, McCormick of Washington, McGarry, O'Malley, Organ, Palmer, Patterson of Linn, Phelan, Pollock, Powers, Price, Ragan, Riley, Reynolds, Smith of St. Louis city, Swank, Taylor, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes, Withers and Younger—67.

NOES—Messrs. Anderson, Andrews, Bashaw, Booth, Brewer, Brown, Burrows, Campbell of Atchison, Campbell of St. Louis city, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crowther, Dade, Ellis, Farr, Gwynne, Hayes, Hammons, Haynes, Harrington, Ingram, Lackland, Larimore, Lesueur, Louthan, Lynn, Mackey, May-

nard, Miles, Morrison, Mudd of St. Louis, McDaniel, McElvain, McKill, McKinney, Patterson of Schuyler, Pepper, Powell, Rawlings, Souder, Smith of Cedar, Spring, Talbot, Tevis, Tiernan, Wells and Mr. Speaker—50.

ABSENT—Messrs. Alldridge, Bonham, Burford, Carroll, Chilton, Collins, Hall, Ham, Mott, McCormick of St. Louis city, Saunders and Wisby—12.

ABSENT WITH LEAVE—Messrs. Cloud, Cooper, Dawson, Dryden, Ewing, Foster, Freed, McIntyre, Pehle, Settles and Whitaker—11.

SICK—Messrs. Diercks and Pollard—2.

Mr. Moler moved to reconsider the vote by which the amendment was agreed to.

Mr. Hynes moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table was agreed to by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Berry, Bohannon, Bowman, Brady, Bryan, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Creager, Crow, Dale, Davis, Dodson, Dougherty, Drum, Finks, Gray, Greer, Gwynne, Hayes, Hale, Hall, Haynes, Harrigan, Hubbard, Hynes, Johnson, Kendall, Kneisley, Lackland, Lockhart, Mabrey, Manistre, Mudd of Lincoln, McCormick of Washington, O'Mally, Organ, Palmer, Phelan, Pollock, Ragan, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Warren, Weygandt, Wiley, Windes, Withers and Younger—63.

NOES—Messrs. Anderson, Andrews, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Brewer, Brown, Burrows, Campbell of Atchison, Campbell of St. Louis city, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crowther, Dade, Dilley, Ellis, Farr, Hammons, Harrington, Harrison, Ingram, Knight, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McDaniel, McElvain, McGarry, McKill, McKinney, Patterson of Linn, Patterson of Schuyler, Pepper, Powell Powers, Price, Rawlings, Riley, Saunders, Spring, Talbot, Waggener, Wells and Mr. Speaker—58.

ABSENT—Messrs. Alldridge, Burford, Chilton, Collins, Ham, Miles, McCormick of St. Louis city, Wisby—8.

ABSENT WITH LEAVE—Messrs. Cloud, Cooper, Dawson, Dryden, Ewing, Foster, Freed, McIntyre, Pehle, Settles, Whitaker—11.

SICK—Messrs. Diercks, Pollard—2.

Mr. Powers offered the following amendment to the substitute:

SEC. 10. Provided that in all counties of less than twenty thousand inhabitants the county court may order that said assessment shall not be made in such counties; which was read.

On motion of Mr. Anderson, the bill, with substitute and amendment, was recommitted to the Committee on Agriculture.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Under a suspension of the rules, House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators and Representatives in Congress to favor the passage of an act giving pensions to surviving soldiers of the Mexican war; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Davis, Dilley, Dodson, Drum, Ellis, Farr, Finks, Gray, Greer, Gwynne, Hayes, Hill, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—119.

ABSENT—Messrs. Alldridge, Burford, Campbell of St. Louis city, Chilton, Collins, Crowther, Dougherty, Ham, McCormick of St. Louis city and Wisby—10.

ABSENT WITH LEAVE—Messrs. Cloud, Cooper, Dawson, Dryden, Ewing, Foster, Freed, McIntyre, Pehle, Settles and Whitaker—11.

SICK—Messrs. Diercks and Pollard—2.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 5, entitled Joint and concurrent resolution in regard to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 7, entitled An act to amend section 7 of chapter ninety-eight of the General Statutes of Missouri, relating to dram-shop keepers and their licenses, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 9, entitled An act to amend section 22 of chapter 173 of the General Statutes of Missouri, entitled costs in civil cases, being section 22 of chapter 38 of Wagner's Statutes of 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Taylor, from the Special Committee appointed to investigate matters connected with the State Treasury, submitted the following report:

MR. SPEAKER: Your Special Committee, appointed for the purpose of investigating matters connected with the State Treasury, beg leave to report that they have made arrangements with James F. Allen, of the city of St. Louis, at a per diem of \$5.00; which was read and adopted.

The following message was received from the Governor through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, }
JEFFERSON CITY, January 28, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I have the honor to submit to you a report from the Board of Managers of State Lunatic Asylum No. 2, announcing the total destruction of that Asylum on the 25th inst., by fire.

More than two hundred patients were in the Asylum at the time of the destruction, and, at the present time, these people are dependent on the charity of the citizens of St. Joseph for shelter and support. This is not the time to consider the question of rebuilding that Asylum. We must, first, provide for the health and comfort of these unfortunate people. Immediate temporary relief is required. The act of 1875 prohibits the officers having control of educational, eleemosynary or other public institutions belonging to the State, from contracting, for the use of such institutions, any debt for which there shall not be, at the time, any adequate appropriation. The appropriation for the support of that Asylum is already exhausted, and, therefore, the managers are prohibited from making contracts for the care, support and protection of these people. I recommend an appropriation be made for the immediate relief of those who were inmates of the Asylum at the time of its destruction.

Perhaps some of those patients may be taken care of at the Asylum at Fulton. It may be advisable to send another portion of them to their homes, and others may be taken care of at St. Joseph. Justice and humanity demand prompt action. A committee of the Board of Managers of that Asylum is in this city, and will be glad to furnish any further information which may be required.

Very respectfully,

JOHN S. PHELPS.

Which was read, and, on motion of Mr. Riley, the message and report was referred to the Committee on Ways and Means.

The Special Committee to investigate the affairs of the Treasurer's office, were granted leave of absence for five days.

Mr. Cowan of Holt, introduced bill No. 179, entitled An act to amend section 26 of chapter 98 of the General Statutes, being section 26 of chapter 48 of Wagner's Statutes; which was read the first time and laid over.

Mr. Gwynne introduced bill No. 180, entitled An act providing for the creation of a board of commissioners for the purchase of a certain piece of land in Jackson county, in the State of Missouri, known and designated as the northwest quarter of the southeast quarter of section 17, in township 49, in range No. 32, with all tenements and improvements thereon, containing 40 acres, by the State of Missouri, the issue of bonds therefor, and the establishment of an asylum for the insane; which was read the first time and laid over.

Mr. Powers introduced bill No. 183, entitled An act to amend section 8 of chapter 82, article 1 of Wagner's Statutes, by more fully explaining said section; which was read the first time and laid over.

Mr. Waggener introduced bill No. 181, entitled An act to amend section 24 of chapter 48 of Wagner's Missouri Statutes; which was read the first time and laid over.

Mr. Wells introduced bill No. 182, entitled An act supplementary to chapter 112 of the General Statutes of Missouri, of voluntary assignments, providing for involuntary assignments and adjudication of insolvency; which was read the first time and laid over.

On motion of Mr. Davis, the House adjourned until 9½ o'clock to-morrow morning.

SEVENTEENTH DAY—WEDNESDAY, January 29, 1879.

MORNING SESSION.

The House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Warren, the further reading was dispensed with.

Mr. Bohannon offered the following resolution:

Resolved, That the House appoint a committee of five to examine into and report to this House the amount of indebtedness of all the townships and counties in this State to the different railroad corporations in this State; and also to make diligent inquiry into the legality of the means employed to procure subscriptions and appropriations

to such railroad corporations, and that said committee shall elicit from the several members of this Legislature all the information attainable, and report the result of their investigation to this House ; which was read and adopted.

Mr. Greer offered the following resolution :

Resolved, That the Committee on Agriculture be instructed to report House bill No. 3, repealing an act to provide for the registering and licensing of dogs, at as early a day as practicable ; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Powers offered the following resolution :

WHEREAS, The members of this House, who are seated farthest from the bar of the House, are often unable to hear the reading of the clerk or the rulings or announcements of the Speaker, on account of the noise occasioned by the drum-like sound of the Folder's table and the slam and bang of the entrance door to the hall ; therefore, be it

Resolved, That the Folder's table be made more solid, and the door to the hall be so arranged that less noise will occasion from opening and closing the same ; which was read and adopted.

Mr. Warren presented a petition from citizens of Maries county, in relation to prohibiting the manufacture and sale of intoxicating drinks ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Withers introduced bill No. 184, entitled An act to amend an act entitled an act in relation to roads and highways, approved March 24, 1877 ; which was read the first time and laid over.

Mr. Bryan introduced bill No. 185, entitled An act to amend an act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, and to repeal all former acts in relation thereto, approved April 28, 1877 ; which was read the first time and laid over.

Mr. Cook introduced bill No. 187, entitled An act to amend section 2 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877 ; which was read the first time and laid over.

Mr. Price introduced bill No. 186, entitled An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877 ; which was read the first time and laid over.

Mr. Lackland introduced bill No. 188, entitled An act to amend section 18 of chapter 146 of Wagner's Missouri Statutes, concerning witnesses, the same being section 18 of chapter 144 of the General Statutes of Missouri ; which was read the first time and laid over.

Mr. Mudd of Lincoln introduced bill No. 203, entitled An act to equalize taxation, and increase State, county and municipal revenues; which was read the first time and laid over.

Mr. Lackland introduced bill No. 189, entitled An act to amend chapter 85 of Wagner's Missouri Statutes, entitled landlords and tenants, the same being chapter 189 of the General Statutes of Missouri, by adding a new section thereto, to be known as section 52; which was read the first time and laid over.

Mr. Lackland introduced bill No. 190, entitled An act to amend section 21 of chapter 44 of Wagner's Missouri Statutes, concerning depositions, the same being section 48 of chapter 144 of the General Statutes of Missouri; which was read the first time and laid over.

Mr. Harrigan introduced bill No. 191, entitled An act to repeal an act entitled an act in relation to the Social Evil Hospital and House of Industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874; which was read the first time and laid over.

Mr. Mott introduced bill No. 193, entitled An act to control the forfeiture of life insurance policies; which was read the first time and laid over.

Mr. Bonham introduced bill No. 192, entitled An act to better protect nurserymen in the State of Missouri; which was read the first time and laid over.

Mr. Wells introduced bill No. 204, entitled An act to regulate the salaries of certain judges of certain courts in the State; which was read the first time and laid over.

Mr. Wells introduced bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State; which was read the first time and laid over.

Mr. Powell introduced bill No. 209, entitled An act to provide for the organization of counties into municipal townships, and for the local government thereof; which was read the first time and laid over.

Mr. Carleton introduced bill No. 195, entitled An act to amend section 28 of the General Law concerning roads and highways, entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Price introduced bill No. 196, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84 Acts 1871-2; which was read the first time and laid over.

Mr McKill introduced bill No. 197, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, etc ; which was read the first time and laid over.

Mr. Bonham introduced bill No. 211, entitled An act to amend section 1 of an act fixing the salary of the clerk of the Supreme Court, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877 ; which was read the first time and laid over.

Mr. McElvain introduced bill No. 208, entitled An act to amend sections 2 and 3 of chapter 177 of the General Statutes of the State of Missouri, in relation to jurisdiction of justices of the peace ; which was read the first time and laid over.

Mr. Cowan (of Christian, introduced bill No. 202, entitled An act to appropriate money to pay J. J. C. Breazeale, the mileage and per diem due him as a member of the Twenty-Sixth General Assembly ; which was read the first time and laid over.

Mr. Harrington introduced bill No. 205, entitled An act in regard to fees in the office of the Secretary of State ; which was read the first time and laid over.

Mr. Moler introduced bill No. 206, entitled An act for the relief of Philip Zeal ; which was read the first time and laid over.

Mr. Arnold introduced bill No. 198, entitled An act to amend section 22 of chapter 36 of the General Statutes, entitled of county buildings, and the removal of seats of justice ; which was read the first time and laid over.

Mr. Arnold introduced bill No. 199, entitled An act to amend section 8, chapter 213 of the General Statutes, entitled of trials and incidental proceedings ; which was read the first time and laid over.

Mr. Arnold introduced bill No. 200, entitled An act to amend chapter 130 of the General Statutes of Missouri, entitled of estates of deceased persons, by adding a new section thereto, to be known as section 75 ; which was read the first time and laid over.

Mr. Arnold introduced bill No. 201, entitled An act to amend section 5 of chapter 165 of the General Statutes, entitled of practice in civil cases ; which was read the first time and laid over.

Mr. Craig introduced bill No. 213, entitled An act to amend sections 4 and 5 of article 5, chapter 111 of Wagner's Statutes, concerning practice and proceedings in criminal cases ; which was read the first time and laid over.

Mr. Booth introduced bill No. 207, entitled An act to amend section 4 of an act of the General Assembly of the State of Missouri, entitled an act for the classification of cities and towns, approved April 21, 1877 ; which was read the first time and laid over.

Mr. Warren introduced bill No. 210, entitled An act to appropriate money, and for the relief of A. J. Adkins; which was read the first time and laid over.

Mr. Pehle introduced bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, third edition, the same being sections 2 and 3 of chapters 177 of the General Statutes, concerning the jurisdiction of justices' courts; which was read the first time and laid over.

House bill No. 166, entitled An act to amend sections 8 and 31 of chapter 38 of the General Statutes of Missouri, the same being sections 8 and 31 of article 4 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 167, entitled An act fixing the per diem of the clerks of the Legislature; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 168, entitled An act to repeal an act entitled an act to permit persons to testify in their own behalf, in criminal cases, approved April 18, 1877; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 169, entitled An act concerning the duties of sheriffs and constables in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 170, entitled An act to amend section 8 of an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate, forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 171, entitled An act in relation to corporations; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 172, entitled An act to amend section 4 of chapter 8 of the General Statutes of Missouri, the same being section 4 of article 3 of chapter 8 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 173, entitled An act to amend an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 18, 1870; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 174, entitled An act to repeal chapter 111 of the General Statutes of Missouri, entitled of estates and homesteads, and to repeal an act amendatory thereto, approved March 24, 1873; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 175, entitled An act to amend section 15 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 176, entitled An act to prohibit the publishing of advertisements of lotteries and gift enterprises; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 177, entitled An act to encourage the destruction of rabbits; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 178, entitled An act to amend chapter 95 of Wagner's Statutes, concerning merchants' licenses, by adding a new section, providing for the equalization of the same; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 179, entitled An act to amend section 26 of chapter 98 of the General Statutes, being section 26 of chapter 48 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 180, entitled An act providing for the creation of a board of commissioners for the purchase of a certain piece of land in Jackson county, in the State of Missouri, known and designated as the northwest quarter of the southeast quarter of section 17 in township No. 49 in range No. 33, with all tenements and improvements thereon, containing 40 acres, by the State of Missouri, the issue of bonds therefor, and the establishment of an asylum for the insane; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 181, entitled An act to amend section 24 of chapter 48 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 182, entitled An act supplementary to chapter 112 of the General Statutes of Missouri, of voluntary assignments, providing for involuntary assignments and adjudication of insolvency; was

called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 183, entitled An act to amend section 8 of chapter 82, article 1 of Wagner's Statutes, by more fully explaining said section; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 15, in relation to submitting to the qualified voters of the State of Missouri an amendment to the Constitution of said State, regulating the jurisdiction of the St. Louis Court of Appeals; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House joint and concurrent resolution No. 16, entitled Joint and concurrent resolution in relation to revising the statutes; was called up, read the second time, and, on motion, referred to the Special Committee on Revision.

Mr. Tiernan introduced a joint and concurrent resolution entitled House concurrent resolution in relation to the opening of the Indian Territory; which was read the first time and laid over.

House bill No. 7, entitled An act to amend section 7 of chapter 98 of the General Statutes of Missouri, relating to dramshop-keepers; was taken up, and, on motion of Mr. Arnold, the bill was passed over informally.

Substitute for House bill No. 9, entitled An act to amend section 22 of article 1 of chapter 38 of Wagner's Statutes of Missouri, relating to costs in civil cases; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, Organ Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—114.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Collins, Davis Ellis, Hall, Haynes, Harrigan, Harrington, Larimore, Manistre, Mudd of St. Louis, O'Malley and Riley—14.

ABSENT WITH LEAVE—Messrs. Brown, Cloud, Cooper, Dawson, Dryden, Mott, McIntyre, Saunders, Settles, Taylor, Tiernan and Wiley—12.

SICK—Messrs. Diercks and Pollard—2.

The title of the bill was read and agreed to.

Mr. Andersen moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted to Mr. Waggener for three days.

Substitute for House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—115.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Collins, Davis, Ellis, Haynes, Harrison, Harrington, Larimore, O'Malley, Riley and Waggener—12.

ABSENT WITH LEAVE—Messrs. Brown, Cloud, Cooper, Dawson, Dryden, Mott, McIntyre, Saunders, Settles, Taylor, Tiernan and Wiley—12.

SICK—Messrs. Boulware, Diercks and Pollard—3.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 15, entitled An act to facilitate appeals from the St. Louis Court of Appeals to the Supreme Court; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Dilley, Dodson, Dougherty, Drum, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powers, Price, Ragan, Rawlings, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Weygandt, Whitaker, Wisby, Younger and Mr. Speaker—104.

NOES—Messrs. Anderson, Ewing, Powell, Tevis, Wells and Withers—6.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Cock, Collins, Creager, Davis, Ellis, Haynes, Harrigan, Harrington, Larimore, McCormick of St. Louis city, O'Malley, Pollock, Riley, Waggener and Windes—17.

ABSENT WITH LEAVE—Messrs. Brown, Cloud, Cooper, Dawson, Dryden, Mott, McIntyre, Saunders, Settles, Taylor, Tiernan and Wiley—12.

SICK—Messrs. Boulware, Diercks and Pollard—3.

The title of the bill was read and agreed to.

Mr. Hall moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House joint and concurrent resolution No. 5, entitled Joint and concurrent resolution in relation to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6, 1872, was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham,

Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—114.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Collins, Cox, Davis, Ellis, Haynes, Larimore, Morrison, McCormick of St. Louis city, O'Malley, Pollock and Riley—13.

ABSENT WITH LEAVE—Messrs. Brown, Cloud, Cooper, Dawson, Dryden, McIntyre, Saunders, Settles, Taylor, Tiernan, Waggener and Wiley—12.

SICK—Messrs. Boulware, Diercks and Pollard—3.

The title of the joint and concurrent resolution was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the joint and concurrent resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

The Committee on Deaf and Dumb and Lunatic Asylum, were granted leave of absence for four days.

Mr. Lesueur introduced a concurrent resolution, entitled Concurrent resolution, in relation to the appointment of a committee, (three from the House and two from the Senate,) to visit Limerick Lawn property, and Johnson college and McKee college, and report their adaptability for a State Asylum for the Insane; which was read.

Mr. Crowther moved to postpone the further consideration of the resolution, until after the return of the Committee on Lunatic Asylum.

The ayes and noes being demanded, the motion to postpone was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Bohannon, Bonham, Bowman, Brewer, Burford, Campbell of Atchison, Carleton, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Dilley, Drum, Ewing, Foster, Freed, Gwynne, Hale, Harrington, Hubbard, Hynes, Ingram, Johnson, Knight, Lackland, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKinney, Organ, Palmer, Pehle, Phelan, Powers, Price, Ragan, Rawlings, Reynolds,

Souder, Smith of St. Louis city, Swank, Tiernan, Warren, Wells, Weygandt, Whitaker, Windes and Wisby—64.

NOES—Messrs. Anderson, Ballew, Bashaw, Berryman, Booth, Bryan, Burrows, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Craig, Dougherty, Farr, Finks, Gray, Greer, Hayes, Hall, Ham, Hammons, Harrison, Kendall, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McKill, Patterson of Linn, Patterson of Schuyler, Pepper, Powell, Smith of Cedar, Spring, Talbot, Tevis, Turner, Vancleve, Withers and Mr. Speaker—51.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Collins, Davis, Dodson, Ellis, Haynes, Harrigan, Larimore, O'Malley, Pollock, Riley and Younger—13.

ABSENT WITH LEAVE—Messrs. Brown, Cloud, Cooper, Dawson, Dryden, McIntyre, Saunders, Settles, Taylor, Waggener and Wiley—11.

SICK—Messrs. Diercks, Pollard and Boulware—3.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company, any taxes hereafter paid on Pullman Palace Cars hired or leased from said company, under the railroad assessment laws of the State;

Also, Senate concurrent resolution No. 10, entitled Concurrent resolution for the appointment of a joint committee to revise the schedule of salaries and fees;

Also, Senate bill No. 42, entitled An act to amend section 53, chapter 165, General Statutes of Missouri, being section 53, article 5, chapter 110, Wagner's Statutes, in which the concurrence of the House is respectfully requested; which was read.

Mr. Arnold offered the following resolution:

Resolved, That the State Auditor be requested to furnish to this House the amount of money that has been expended by standing and special committees of the House and Senate in visiting State institutions, situate at all points distant from the City of Jefferson, in the last ten years; which was read and adopted.

Mr. Bowman offered the following resolution:

Resolved, That a sub-committee on mines and mining have leave to visit the mineral fields of Southern Missouri, for the purpose of gaining such knowledge of the great wealth of that section as will enable this General Assembly to take such action as will tend to aid

in the development of the great treasure there buried ; which was read and laid on the table.

Mr. Collins introduced bill No. 214, entitled An act to establish an industrial asylum for the partially insane ; which was read the first time and laid over.

Mr. Organ offered the following resolution :

Resolved, That the following additional rules be adopted for the government of this House :

First—All bills and concurrent resolutions shall be printed in the order of their engrossment.

Second—No bill or concurrent resolution shall be printed until it shall have been reported upon by a committee and ordered to engrossment, unless otherwise specially ordered to be printed for information : *Provided*, That engrossed bills shall always have preference in the order of printing ; which was read and laid over for one day under the rules.

On motion of Mr. Wells, the House adjourned until 9½ o'clock to-morrow morning.

EIGHTEENTH DAY—THURSDAY, January 30, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Patterson of Linn, the further reading was dispensed with.

Mr. Alldridge rose to a question of privilege in relation to the circulation of reports to the effect that he was not eligible as a member of this House, and, by leave of the House, his certificate of election was produced and read.

Mr. Booth offered the following resolution :

Be it resolved, By the House of Representatives that the special committee appointed to inquire into the expediency of reorganizing the judicial circuits of the State, and reducing the number thereof, be instructed to collect and lay before this House by report :

1. Information of the number of weeks during which the circuit court in each county remain in session each year, for the past two years.

2. Information showing, as near as the same can be ascertained by said committee, by correspondence and inquiry, the character and number of suits, exclusive of tax suits, brought yearly in each judicial circuit of the State.

3. The number of miles traveled by the judge of each circuit, and mode of conveyance; which was read and not adopted.

Mr. Booth moved a reconsideration of the vote by which the resolution was not adopted; which was agreed to.

The question recurring upon the adoption of the resolution, it was adopted.

Mr. Bonham offered the following resolution:

Resolved, That a committee on the sale of intoxicating and fermented liquors, to consist of five members of this House, be appointed by the Speaker, to whom shall be referred all memorials, petitions and bills relating to that matter; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Bonham presented a petition from the citizens of Andrew county, relating to the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Collins presented a petition from the citizens of Lafayette county, asking for a reduction of the salaries of county officers and their deputies; which was read, and, on motion, referred to the Committee on Retrenchment and Reform.

Mr. Cox introduced bill No. 215, entitled An act to amend section 65, article 1, chapter 118, Wagner's Statutes, by providing for the making of tax bills; which was read the first time and laid over.

Mr. Cox introduced bill No. 216, entitled An act to repeal certain sections of chapter 78 of the General Statutes of Missouri, entitled of the preservation of fish and destruction of wolves; which was read the first time and laid over.

Mr. Harrington introduced bill No. 217, entitled An act to amend section 1 of chapter 15 of the General Statutes of Missouri, entitled of the State Library; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 218, entitled An act to provide for township organization; which was read the first time and laid over.

Mr. Bryan introduced bill No. 219, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and

parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Brewer introduced bill No. 222, entitled An act to amend chapter 84, article 3, Wagner's Statutes, in relation to swamp lands; which was read the first time and laid over.

Mr. Craig introduced bill No. 220, entitled An act to provide for the appointment of stenographic reporters for the circuit courts; which was read the first time and laid over.

Mr. Booth introduced bill No. 221, entitled An act for the protection of minors and other persons against accidents and injuries on railroads; which was read the first time and laid over.

House bill No. 184, entitled An act to amend an act entitled an act in relation to roads and highways, approved March 24, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 185, entitled An act to amend an act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, and to repeal all former acts in relation thereto, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Scientific and Benevolent Institutions.

House bill No. 186, entitled An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 187, entitled An act to amend section 2 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877; was called up, read the second time, and, on motion, referred to Committee on Agriculture.

House bill No. 188, entitled An act to amend section 18 of chapter 146 of Wagner's Missouri Statutes, concerning witnesses, the same being section 18 of chapter 144 of the General Statutes of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 189, entitled An act to amend chapter 85 of Wagner's Missouri Statutes, entitled landlords and tenants, the same being chapter 189 of the General Statutes of Missouri, by adding a new section thereto, to be known as section 52; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 190, entitled An act to amend section 21 of chapter 44 of Wagner's Missouri Statutes, concerning depositions, the same being section 48 of chapter 144 of the General Statutes of Mis-

souri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 191, entitled An act to repeal an act entitled an act in relation to the social evil hospital and house of industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 192, entitled An act to better protect nurserymen in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 193, entitled An act to control the forfeiture of life insurance policies; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 195, entitled An act to amend section 28 of the general law concerning roads and highways, entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up; read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 196, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84, Acts 1871-2. approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 197, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, etc.; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 198, entitled An act to amend section 22, chapter 36, General Statutes, entitled of county boundaries and the removal of seats of justice; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 199, entitled An act to amend section 8 chapter 213 of the General Statutes, entitled of practice and proceedings in criminal cases; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 200, entitled An act to amend chapter 130 of the General Statutes of Missouri, entitled of estates of deceased persons by adding a new section thereto to be known as section 75; was called

up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 201, entitled An act to amend section 5 of chapter 165 of the General Statutes, entitled of practice in civil cases; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

House bill No. 202, entitled An act to appropriate money to pay J. J. C. Breazeale the mileage and per diem due him as a member of the Twenty-Sixth General Assembly; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 203, entitled An act to equalize the burthen of taxation and increase the revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 204, entitled An act to regulate the salaries of certain judges in this State; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 205, entitled An act in regard to fees in the office of the Secretary of State; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 206, entitled An act for the relief of Philip Zeal; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 207, entitled An act to amend section 4 of an act of the General Assembly of the State of Missouri, entitled an act for the classification of cities and towns, approved April 21, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 208, entitled An act to amend sections 2 and 3 of chapter 177 of the General Statutes of the State of Missouri, in relation to jurisdiction of justices of the peace; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 209, entitled An act to provide for the organization of counties into municipal townships, and for the local government thereof; was called up, read the second time, and, on motion, referred to the Committee on Township Organization.

House bill No. 210, entitled An act to appropriate money for the relief of A. J. Adkins; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 211, entitled An act to amend section 1 of an act fixing the salary of the Clerk of the Supreme Court, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877;

was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, third édition, the same being sections 2 and 3 of chapter 177 of the General Statutes, concerning the jurisdiction of justices' courts; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 213, entitled An act to amend sections 4 and 5 of article 5, chapter 111, Wagner's Statutes, concerning practice and proceedings in criminal cases; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 214, entitled An act to establish an industrial asylum for the partially insane; was taken up and read the second time.

Mr. Collins offered the following amendment:

Amend by inserting thirty thousand dollars where the words fifty thousand dollars occur; which was read and agreed to.

The bill, as amended, was, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylums.

House joint and concurrent resolution No. 17, in relation to opening the Indian Territory, was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Substitute for House bill No. 1, entitled An act relating to the State treasury, was called up.

Mr. Davis offered the following amendment:

Amend by adding a new section to be numbered section 12.

SEC. 12. The Treasurer shall, immediately after his election or appointment, execute and deliver to the Governor a bond to the State, in the sum of seven hundred thousand dollars, with no less than ten securities, who shall at all times be residents of this State, to be approved of by the Governor, conditioned for the faithful performance of the duties required, or which may be required, of him by law, which bond shall be renewed every two years; and if any Treasurer shall fail to give his official bond so required by law, within sixty days from the day he shall receive his certificate of election or appointment, or if he shall fail or refuse to renew his official bond within thirty days after he is by law required to renew the same, his office shall thereby be forfeited, and the vacancy shall be filled according to law. And it is hereby made the duty of the Governor, Attorney-General, and the Chief Justice of the Supreme Court, or a majority of them, to at least every six months examine the official bond of the Treasurer, as to its solvency; and if any such bond for any cause has become impaired, they shall require

such Treasurer to give such additional security as in the judgment of the Governor, Attorney-General and Chief Justice of the Supreme Court, or a majority of them, may deem necessary to make it a good and sufficient bond; and if such Treasurer shall fail to give such additional security within thirty days after he shall be so required, his office shall thereby be forfeited, and the vacancy filled in accordance with law.

The provisions of this section shall apply to the Treasurer now in office, and if he shall fail or refuse to execute a good and sufficient bond, as herein required, within thirty days after this act takes effect, then his office shall become vacant, and the vacancy shall be filled as provided by law; which was read.

Mr. Adams offered the following amendment to the amendment:

Amend section 12 by substituting Secretary of State in lieu of Chief Justice of the Supreme Court, wherever it occurs; which was read and not agreed to.

The question recurring on agreeing to the amendment of Mr. Davis, the amendment was agreed to.

Mr. Bonham offered the following amendment:

Add new section to read as follows:

And no officers or director of any bank who shall be interested in having the State deposits deposited in the bank which they shall be interested in, shall be permitted to go as such security on the State Treasurer's bond in this State; which was read and not agreed to.

Mr. Booth offered the following amendment:

Amend by inserting immediately after the word Treasurer, and before the word provided, in the tenth line of the fifth section (printed bill) the following words:

And the Governor, Attorney-General and State Treasurer shall, from time to time, inspect such books and see that the same are actually kept in the vaults of the State Treasury or in the vaults of such bank or banks as the Governor, Attorney-General and State Treasurer may have duly agreed upon; which was read and agreed to.

Mr. Lackland offered the following amendment:

Amend section 11 by striking out all the words between the word whatever, in the fourth line of the printed bill, and shall in the seventh line of said section; which was read and not agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 103, entitled An act to amend section eighteen of chapter 139 of the General Statutes of Missouri, the same being

section 18 of chapter 85 of Wagner's Statutes, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 103, entitled An act to amend section 18 of chapter 139 of the General Statutes of Missouri, the same being section 18 of chapter 85 of Wagner's Statutes, was taken up with substitute recommended by the Committee on Agriculture.

The substitute was agreed to and ordered engrossed and printed. Leave of absence was granted Mr. Carroll for four days.

Mr. Pollock was reported sick

Mr. Warren was reported sick.

House bill No. 72, entitled An act to regulate hedges on highways was called up with substitute recommended by the Committee on Roads and Highways.

The substitute was ordered engrossed and printed.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 152, entitled An act to prescribe the powers and duties of Boards of Education, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House Bill No. 152, entitled An act to prescribe the powers and duties of Boards of Education, was taken up.

Mr. Wells moved to postpone the further consideration of the bill until 10½ o'clock Wednesday, February 5th, 1879; which was agreed to.

On motion of Mr. Tevis, the vote by which substitute for House bill No. 72 was ordered to engrossment and printing, was reconsidered.

Mr. Patterson of Linn offered the following amendment to the substitute:

Amend by striking out the word four, in the first line, and inserting the word six; which was read.

Mr. Hynes moved that the further consideration of the substitute be indefinitely postponed; which was agreed to.

Mr. Davis introduced bill No. 233, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; which was read the first time and laid over.

Mr. Wisby offered the following resolution:

Resolved, That the Committee on Internal Improvements be allowed the service of a clerk, to be paid for at the same rate as other clerks; which was read and adopted.

Mr. Powell moved that the vote by which the resolution was adopted be reconsidered ; which was not agreed to.

On motion of Mr. Pepper the House adjourned until 9½ o'clock tomorrow morning.

NINETEENTH DAY.—FRIDAY, January 31, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Withers, the further reading was dispensed with.

Leave of absence was granted Mr. Vancleve for three days.

Leave of absence was granted Mr. Smith of Cedar for three days.

Mr. Farr offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government provide a room for the use of the Committees on Education, Roads and Highways and Federal Relations ; which was read and adopted.

Mr. Lockhart offered the following resolution :

Resolved, That the Committee on Retrenchment and Reform be instructed to inquire into the expenses of the various State offices of this State, also the expenses of the various State institutions of learning, the various asylums of the State, together with the penitentiary, and report to this House such retrenchments in the current expenses of the same as they deem best in their judgment ; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Palmer offered the following resolution :

Resolved, That the Governor, Judges of the Supreme Court, Attorney-General, State Treasurer, State Auditor, Register of Lands, Secretary of State, Superintendent of Public Schools, Railroad Commissioners, Adjutant-General, State Librarian be, and they are hereby respectfully requested to furnish this House with an itemized bill, as near as practicable, of the amount of contingent expenses asked for the use of their respective departments during 1879 and 1880, and that the State Auditor be requested to furnish this House with an itemized

account of the amount itemized for the general contingent fund for the years 1879 and 1880; which was read and adopted.

Mr. Mahn offered the following resolution:

WHEREAS, It is of the first importance that the committee appointed to visit the different supposed eligible property for asylum purposes, be entirely untrammelled by any local influences or preferences; and,

WHEREAS, It is evident that the cost of supporting the patients—the durability of the structure and the sanitary condition of the locality, and the adaptability of the buildings to the care of the insane persons, and the points that should be taken most carefully into consideration; therefore, be it

Resolved, That two practical business men and one physician be appointed as said committee, and consist of the following persons: Cock of Henry, Cox of Ste. Genevieve, Maynard of Lawrence; which was read and further consideration postponed until the Committee on Deaf and Dumb and Lunatic Asylum makes report.

Mr. Morrison offered the following resolution:

Resolved, That the Committee on Education be required to see if an additional column in the tax-book for school tax, would not do away with an entire set of tax-books for school purposes, thereby saving thousands of dollars to the State annually, and report by bill or otherwise; which was read, and referred to the Committee on Education.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE. }
JEFFERSON CITY, Jan. 31, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I have the honor to submit herewith reports of the Adjutant-General of this State, for the years ending December 31, 1877, and December 31, 1878.

Very respectfully,

JOHN S. PHELPS.

Which was read.

The Speaker laid before the House the following communication from Mr. Taylor:

KANSAS CITY, Mo., Jan. 29, 1879.

To HON. J. ED. BELCH, Speaker House of Representatives:

DEAR SIR: Your Special Committee for the investigation of the treasury matters, beg leave to report that they have met with the necessity of having transcribed the testimony that will be produced in their investigation, and that they have found the best terms they

can make, is to pay thirty cents per one hundred and fifty words for such work, this being the lowest price for which they can find thoroughly competent persons to do said work, at their own expense; the committee ask that they be empowered to make this arrangement.

By order of the committee.

M. F. TAYLOR, Chairman.

Which was read.

Mr. Maynard offered the following resolution:

Resolved, That Special Treasury Committee be authorized to pay not more than thirty cents per each one hundred and fifty words written in transcribing notes of testimony taken before the committee; which was read and adopted.

Mr. Kneisley offered the following resolution:

WHEREAS, It is believed to be the settled conviction of a large majority of the reflecting men of the State of Missouri, that the method in use for more than fifteen years past, of voting at all elections held under the laws of the State, by secret ballot, detracts from the manhood and independence of the voter, and conduces to, and facilitates fraud in our elections; and,

WHEREAS, The holding of general elections for the choice of State officers on the same day that members of Congress and Presidential Electors are chosen, as experience has shown, opens up an easy and convenient pretext for Federal interference and usurpation, and is utterly destructive of the will of the people, and the rights of the State—therefore, with the earnest view and purpose of devising a remedial system for existing evils, and of preventing the recurrence of those foreshadowed in this second preamble; be it

Resolved, That the Committee of the Judiciary of this House be, and they are hereby instructed to take into immediate and earnest consideration, the propriety of returning to the “viva voce” system of voting as practiced by our fathers, in the earlier, purer and happier days of our commonwealth—and that said committee are hereby further instructed to consider the wisdom and propriety of changing the time of holding our State general elections, to a day different from that on which members of Congress and Presidential Electors are chosen, so that the Federal Government can have no pretext whatever, for pestilential interference in our local self-government, and despoiling our State of its dignity and sovereignty—as it has ruthlessly dared to do in several other States of this Union; and,

2. That said committee report by bill or otherwise to this House at the earliest practicable day; which was read, and referred to the Committee on Elections.

Mr. Louthan offered the following resolution :

Resolved, That the chairmen of the Committees on Justices of the Peace, on Permanent Seat of Government and on Insurance, be authorized to engage a suitable room for the transaction of business coming before said committees ; which was read and adopted.

Mr. Finks offered the following resolution :

Resolved, That the chairman of the respective committees of the House, when they intend having a meeting for that day, give notice of same from the desk of the Chief Clerk, during the morning session, announcing the hour and place of meeting ; which was read and adopted.

The Speaker announced the following special committee to ascertain the amount of township and county indebtedness, under resolution of Mr. Bohannon :

Messrs. Bohannon, Burford, Adams, Lynn and Collins.

The Speaker announced the following additional members to the special committee to inquire into the expediency of reorganizing the judicial circuits of this State, and reducing the number thereof :

Messrs. Dale of Morgan, Talbot of Montgomery, Boulware of Clark, Cook of Clinton, Chilton of Pettis, Manistre of St. Louis, Booth of Franklin, Lockhart of Grundy, Sanders of Buchanan, Hynes of Howell, Palmer of Wright, Chenoweth of McDonald, Cloud of Livingston, Organ of Dent, Lackland of St. Charles, Mahn of St. Francois, Bryan of Barry, Cock of Henry, Powers of Wayne, Adams of Jackson, McKill of Vernon, Berryman of Iron, Gray of Putnam, Hubbard of Daviess and Ellis of Nodaway.

The Speaker laid before the House the following communication from Mr. Holladay, State Auditor :

AUDITOR'S OFFICE, }
CITY OF JEFFERSON, Jan. 30, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives :

SIR :—In compliance with a resolution of the House, adopted Jan. 29th, 1879, requesting a statement of the amount of money expended in the last ten years by committees of the House and Senate in visiting State institutions situated at all points distant from the city of Jefferson, I have the honor to submit the following :

In visiting the Deaf and Dumb, Insane and Blind Asylums, the State University and Normal Schools, the expenses of the House and Senate committees of the 27th General Assembly, paid in 1873 and 1874, amounted to \$2,156.

The expenses of like committees of the 28th General Assembly in visiting the same institutions and School of Mines, paid in 1875, amount to \$1,467.05.

For expenses incurred by committee of the 29th General Assembly in visiting State institutions, the amount paid in 1877 was \$1,431.43.

The foregoing statement is only a partial compliance with the resolution of your honorable body. Prior to Jan. 1st, 1873, the State Auditor's reports do not contain the desired information, and to procure it now will require the overhauling of every voucher upon which warrants were issued for contingent expenses of the 25th and 26th General Assemblies. This labor will consume several days.

Your obedient servant,

THOS. HOLLADAY,

State Auditor.

Which was read.

Mr. Bonham introduced a House joint and concurrent resolution, entitled Joint and concurrent resolution in relation to submitting to the voters of the State, at the general election in 1880, a proposition to amend article 14 of the Constitution of the State; which was read the first time.

Mr. Chilton presented a memorial from citizens of Pettis county in relation to legal qualifications of county superintendents, or county commissioners of public schools; which was read and referred to the Committee on Education.

Senate bill No. 4, entitled An act to enable counties, cities, towns and townships to fund their bonded indebtedness; which was read the first time and laid over.

Senate bill No. 42, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri, being also section 53 of article 5 of chapter 110 of Wagner's Missouri Statutes, entitled practice in civil cases; was read the first time and laid over.

Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said court; was read the first time and laid over.

Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman palace cars, hired or leased from said company, under the railroad assessment and collection laws of the State; was read the first time and laid over.

Senate concurrent resolution No. 10, entitled Concurrent resolution for the appointment of a joint committee to revise the schedule of salaries and fees; was read the first time and laid over.

Senate joint and concurrent resolution No. 3, entitled Joint and concurrent resolution, declaring the present session of the Legislature the revising session as provided in article 4, section 41 of the

Constitution of the State of Missouri; was read the second time and referred to the Special Committee on Revision.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, entitled of the Register of Lands; was taken up, with the following amendment, recommended by the Committee on Retrenchment and Reform:

Amend by striking out section 3, and inserting in lieu thereof the following:

SEC. 3. This act shall take effect and be in force on and after the first Monday in January, 1881.

The amendment was read and agreed to.

On motion of Mr. Davis, the further consideration of the bill was postponed until Tuesday next, and ordered printed for information.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 50, entitled An act to repeal an act entitled an act to encourage the destruction of rats, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 50, entitled An act to repeal an act to encourage the destruction of rats, approved March 20th, 1877; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 99, entitled An act to amend section 7 of chapter 96 of the General Statutes, being section 7 of chapter 106 of Wagner's Statutes, entitled peddlers' licenses, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 99, entitled An act to amend section 7 of chapter 96 of the General Statutes, being section 7 of chapter 106 of Wagner's Statutes, entitled peddler's licenses, was taken up with the following amendment, recommended by the Committee on Ways and Means:

Amend section one by adding the following: Nothing in this section shall be construed as requiring any person to pay a license for selling the products of his farm; which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, etc., etc., revenue, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30th, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved April 28th, 1877, and also to amend sections 48 and 59 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 51, entitled An act to regulate and limit the compensation of clerks of county courts, beg leave to report that they have considered the same, and recommend that it be referred to Committee on Retrenchment and Reform; which was read.

House bill No. 51, entitled An act to regulate and limit the compensation of clerks of county courts; was taken up, and, on motion, referred to the Committee on Retrenchment and Reform.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 95, entitled An act to change the time of paying taxes, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 95, entitled An act to change the time of paying taxes; was taken up.

The House refused to order the bill engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 154, entitled An act to amend section 149 of an act entitled act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, etc., approved March 10, 1869, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business other than life assurance business, approved March 10, 1869, the same being section 44 of article 3 of chapter 76 of Wagner's Missouri Statutes, entitled insurance other than life; was taken up and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 60, entitled An act regulating the fees of witnesses, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 60, entitled An act to regulate the fees of witnesses; was taken up and ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 14, entitled An act for the punishment of rape;

Also, House bill No. 35, entitled An act to amend section 23, chapter 200, General Statutes, being section 23, article 2, chapter 42 of Wagner's Statutes;

Also, House bill No. 41, entitled An act to amend sections 23 and 24, chapter 200, General Statutes of Missouri, entitled crimes and

punishments, the same being sections 23 and 24 of article 2 of chapter 42 of Wagner's Missouri Statutes, beg leave to report said bills back to the House with the accompanying substitute, and recommend that said substitute do pass; which was read.

House bill No. 14, entitled An act for the punishment of rape; and House bill No. 35, entitled An act to amend section 23, chapter 200, General Statutes, being section 23, article 2, chapter 42 of Wagner's Statutes; and House bill No. 41, entitled An act to amend sections 23 and 24, chapter 200 of the General Statutes of Missouri, entitled crimes and punishments, the same being sections 23 and 24 of article 2 of chapter 42 of Wagner's Missouri Statutes; were taken up with the substitute recommended by the Committee on Criminal Jurisprudence.

The substitute was agreed to, and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 3, entitled an act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; was taken up and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 142, entitled An act to amend section 1 of an act entitled an act to prescribe the manner of posting stray animals, and disposing of the money arising therefrom, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 142, entitled An act to amend section 1 of an act of the General Assembly of the State of Missouri, entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was taken up, and the House refused to order to engrossment and printing.

Mr. Moler, from the Committee on Agriculture, made the following report:

MR. SPEAKER Your Committee on Agriculture, to whom was referred House bill No. 118, entitled An act to amend sections 1 and 40 of an act entitled an act to prescribe the manner of posting stray

animals, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 118, entitled An act entitled an act to amend sections 1 and 40 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys arising therefrom, and to repeal chapter 83 of the General Statutes; was taken up.

The question being, "shall the bill be engrossed and printed?" The House refused to order the bill to engrossment and printing.

House bill No. 24, being special order for this hour, was,

On motion of Mr. Wells, made special order for Monday next at 10½ o'clock.

Mr. Cowan of Holt, made the following report from the Committee on Scientific and Benevolent Institutions:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 83, entitled An act to promote the science of medicine and surgery, beg leave to report that the same has been duly considered, and the passage of the substitute herewith submitted is recommended; which was read.

House bill No. 83, entitled An act to promote the science of medicine and surgery; was taken up with substitute recommended by the Committee on Benevolent and Scientific Institutions.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Cowan of Holt made the following report from the Committee on Benevolent and Scientific Institutions:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 89, entitled An act to amend Wagner's Statutes in relation to benevolent and religious and educational associations, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 89, entitled An act to amend Wagner's Statutes in relation to benevolent, religious and educational associations; was taken up with substitue recommended by the Committee on Benevolent and Scientific Institutions.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 79, entitled An act to regulate the building of barbed wire fence, beg leave to report that they have considered

the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 79, entitled An act to regulate the building of barbed wire fence; was taken up with the substitute recommended by the Committee on Agriculture.

The substitute was agreed to and ordered engrossed and printed.

House bill No. 215, entitled An act to amend section 65, article 1, chapter 118, Wagner's Statutes, by providing for the making of tax bills; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 216, entitled An act to repeal certain sections relating to wolves, of chapter 78 of the General Statutes of Missouri, entitled of the preservation of fish and destruction of wolves; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 217, entitled An act to amend section 1 of chapter 15 of the General Statutes of Missouri, entitled of the State Library, and to repeal sections 1 and 8 thereof; was called up, read the second time, and, on motion, referred to the Committee on Library.

House bill No. 218, entitled An act to provide for township organization; was called up, read the second time, and, on motion, referred to the Committee on Township Organization.

House bill No. 219, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 220, entitled An act to provide for the appointment of stenographic reporters for the circuit courts; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 221, entitled An act for the protection of minors and other persons against accidents and injuries on railroads; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 222, entitled An act to amend chapter 84, article 3, Wagner's Statutes, relating to swamp lands; was called up, read the second time, and, on motion, referred to the Committee on Swamp Lands.

House bill No. 223, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was

called up, read the second time, and, on motion, referred to the Committee on Ways and Means, and 250 copies ordered to be printed for the information of the House.

Mr. Foster introduced bill No. 228, entitled An act entitled an act to reimburse the St. Louis National Guard for arms and equipments purchased by them, to defend the lives and property of the citizens of the State of Missouri; which was read the first time and laid over.

Mr. Wisby introduced bill No. 232, entitled An act to repeal an act entitled an act to authorize and describe the method of formation of school districts in the counties of Franklin and Webster, approved March 27, 1874; which was read the first time and laid over.

Mr. Wisby introduced bill No. 226, entitled An act to establish an insane asylum at Springfield, Greene county, to be known as the Southwestern Missouri Insane Asylum; was read the first time and laid over.

Mr. McCormick of St. Louis city introduced bill No. 229, entitled An act to protect persons at railroad crossings of public highways; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor; which was read the first time and laid over.

Mr. Cooper introduced bill No. 224, entitled An act to provide for the punishment of public officers and trustees for using public moneys for their own profit, or for using public moneys in any manner not authorized by law; was read the first time and laid over.

Mr. Younger introduced bill No. 227, entitled An act in relation to misrepresentations in obtaining or securing policies in fire insurance companies, and requiring a return of premiums and interest thereon to the insured in certain cases; which was read the first time and laid over.

Mr. Berryman introduced bill No. 231, entitled An act for the protection of the State school fund; which was read the first time and laid over.

Mr. Foster introduced bill No. 230, entitled An act to amend section 19 of chapter 120 of the General Statutes of the State of Missouri, in relation to bonds of executors; which was read the first time and laid over under the rules.

Mr. Chilton introduced bill No. 233, entitled An act to amend section 2 of an act to prevent the destruction of fish, and to repeal an act entitled an act to prevent the destruction of fish, approved March 26, 1874, approved April 17, 1877; which was read the first time and laid over under the rules.

On motion of Mr. Wells, the House adjourned until 9½ o'clock to-morrow morning.

TWENTIETH DAY—SATURDAY, February 1, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain of the Senate, Rev. T. W. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

Leave of absence was granted Mr. Tevis, for three days.

Leave of absence was granted Mr. Booth for three days.

Leave of absence was granted Mr. Dale for two days.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 108, entitled An act to regulate and limit the compensation of clerks of county courts, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 108, entitled An act to regulate and limit the compensation of clerks of county courts; was taken up and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State; was taken up and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bills Nos. 130, 116, 172 and 167, in relation to the compensation of members of the General Assembly, and

employes thereof, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bills Nos. 130, 116, 167 and 172, relating to the compensation of members of the General Assembly, and employes thereof; was taken up, with substitute recommended by the Committee on Retrenchment and Reform; the substitute was read and agreed to, and ordered engrossed and printed.

Mr. Carleton, from the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER: Your Committee on Swamp Lands, to whom was referred House bill No. 156, entitled An act to provide for the formation of drainage districts to reclaim and drain the swamp and overflowed lands of this State, and to employ the labor of convicts confined in the State Penitentiary in that behalf, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 156, entitled An act to provide for the formation of drainage districts to reclaim and drain the swamps and overflowed lands of this State, and to employ the labor of the convicts confined in the State Penitentiary in that behalf, was taken up; on motion of Mr. Dade, the bill was laid over informally and ordered printed for information.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 192, entitled an act to better protect nurserymen in the State of Missouri, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 192, entitled An act to better protect nurserymen in the State of Missouri; was taken up, and the House refused to order it to engrossment and printing.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 10, entitled An act in relation to the salaries of certain officers, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 6, entitled An act to consolidate the offices of

county collector and county treasurer, and to fix the compensation thereof, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 45, entitled An act to prevent the netting of fish in the cut-off situated on the southeast quarter of section ten (10), and the northeast quarter of section fifteen (15), township fifty-seven (57), range twenty-four (24), Livingston county, Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 109, entitled An act to amend section 2 of chapter 95 of the General Statutes, entitled of auctioneers and their licenses, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Burrows introduced bill No. 246, entitled An act for the collection of delinquent taxes, when due and unpaid, by civil officers of this State; which was read the first time and laid over.

Mr. Bryan introduced bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved March 28, 1877, the same being amendatory of section 135 of chapter 118 of Wagner's Missouri Statutes; which was read the first time and laid over.

Mr. Cock introduced bill No. 244, entitled An act to authorize the sale of real estate belonging to insane persons under guardianship; which was read the first time and laid over.

Mr. Talbot introduced bill No. 237, entitled An act requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks; which was read the first time and laid over.

Mr. Spring introduced bill No. 235, entitled An act to amend section 2 of chapter 153 of the General Statutes, concerning mortgages,

being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new sections to said chapter, deeds of trust to be foreclosed; which was read the first time and laid over.

Mr. Mahn introduced bill No. 238, entitled An act to amend section 11 of an act approved April 28, 1877, amendatory of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by changing the mode for publishing the personal delinquent list; which was read the first time and laid over.

Mr. Finks introduced bill No. 239, entitled An act to amend an act entitled an act to reorganize and provide for the support of public schools, and revise and amend the laws relative thereto, and repeal certain acts and parts of acts, approved March 19, 1877, which was passed and approved March 26, 1874; which was read the first time and laid over.

Mr. Moler introduced bill No. 240, entitled An act to amend section 1 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; which was read the first time and laid over.

Mr. Berry introduced bill No. 241, entitled An act to amend section two (2) of chapter one hundred and fifty-three (153) of the General Statutes of Missouri, relating to mortgages and deeds of trust, approved May 15, 1877, and to amend section thirteen (13) of chapter one hundred fifty-three (153) of the General Statutes of Missouri, relating to mortgages and deeds of trust; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 242, entitled An act for the relief of Wm. Matthews & Co., and to appropriate money to pay their claim against the State; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 343, entitled An act to amend section thirty-two of article eight of chapter forty-two of Wagner's Missouri Statutes, the same being section thirty-two of chapter two hundred and six of the General Statutes of 1865, approved March 16, 1877; which was read the first time and laid over.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 44, entitled An act to promote the science of medicine and surgery; also,

Senate bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of Missouri, concerning arbitrations and references, in which the concurrence of the House is respectfully requested; which was read.

Mr. Pehle introduced bill No. 236, entitled An act to provide for the organization of counties into municipal townships, and to regulate the government thereof; which was read the first time and laid over.

The Speaker laid before the House the following communication from the Adjutant-General:

ADJUTANT-GENERAL'S OFFICE, }
CITY OF JEFFERSON, January 31, 1879. }

To the Honorable Speaker of the House of Representatives:

SIR:—In compliance with a resolution of the House, of this date, I have the honor to submit the following estimate of contingent expenses for the years 1879 and 1880:

Freight and drayage.....	\$400 00
Janitor.....	200 00
Traveling expenses.....	300 00
Armorer.....	150 00
Postage.....	250 00
Fuel.....	160 00
Gas.....	25 00
Telegraphing.....	40 00
Printing and binding.....	30 00
Firing salutes.....	40 00
Incidental expenses.....	100 00
Total.....	<u>\$1,695 00</u>

Which was read.

Mr. Dilley introduced bill No. 245, entitled An act to amend section 4 of article 9 of chapter 82 of Wagner's Statutes, being section 4 of chapter 185 of the General Statutes of Missouri, relating to appeals from justices; which was read the first time and laid over.

On motion of Mr. Price, the vote referring House bill No. 196 to the Committee on Ways and Means, was reconsidered, and the bill referred to the Committee on Retrenchment and Reform.

House bill No. 224, entitled An act to provide for the punishment of public officers and trustees for using public moneys for their own profit, or for using public moneys in any manner not authorized by law; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 226, entitled An act to establish an insane asylum at Springfield, Greene county, to be known as the Southwestern Missouri Insane Asylum; was called up, read the second time, and, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylum.

House bill No. 227, entitled An act in relation to misrepresentation in obtaining or securing policies in fire insurance companies, and requiring a return of premiums and interest thereon to the insured in certain cases; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 228, entitled An act entitled an act to reimburse the St. Louis national guard for arms and equipments purchased by them to defend the lives and property of citizens of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Militia.

House bill No. 229, entitled An act to protect persons at railroad crossings of public highways; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 230, entitled An act to amend section 19 of chapter 120 of the Statutes of Missouri, in relation to bonds of executors; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 231, entitled An act for the protection of the State school fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill 233, entitled An act to amend section 2 of an act entitled an act to prevent the destruction of fish, and repeal an act entitled an act to prevent the destruction of fish, approved March 26, 1874, approved April 17, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 232, entitled An act to repeal an act entitled an act to authorize and describe the method of formation of school districts in the counties of Franklin and Webster, approved March 27, 1874; was called up, read the second time, and, on motion, referred to the Committee on Local Bills.

Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said court; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 42, entitled An act to amend section fifty-three of chapter one hundred and sixty-five of the General Statutes of the State of Missouri, being also section fifty-three of article five of chap-

ter one hundred and ten of Wagner's Missouri Statutes, entitled practice in civil cases; was call up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 4, entitled An act to enable counties, cities, towns and townships to fund their bonded indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullmann palace cars hired or leased from said company, under the railroad assessment and collection laws of the State; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate concurrent resolution No. 10, entitled Concurrent resolution for the appointment of a joint committee to revise the schedule of salaries and fees; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

On motion of Mr. Wells the House adjourned until Monday morning at 9½ o'clock.

TWENTY-FIRST DAY—MONDAY, February 3, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the chaplain of the Senate, Rev. T. W. Barrett.

The journal of Saturday was being read, when,

On motion of Mr. Bryan, the further reading was dispensed with.

Mr. Bryan offered the following resolution :

WHEREAS, There was published in the St. Louis Republican of the 2d inst. what purported to be a telegram from this city, charging or intimating that an elective officer of this House has been guilty of levying assessments upon the official employes under and appointed by him, which telegram was commented upon editorially by said paper of said date; and,

WHEREAS, A rumor has been circulated to the same effect in this city connecting Henry E. Moore, the Doorkeeper of this House, with said charge as being the guilty party referred to in said telegram;

therefore, that the truth or falsity of said charge may be ascertained and known, and that full justice may be done in the premises, and the party charged either exonerated or punished, as the facts may determine; be it

Resolved, That a special committee of five members of the House be appointed by the Speaker to fully, fairly and impartially investigate the facts connected with said charge, and that said committee report to the House the result of their investigations.

Resolved, further, That the committee so appointed shall have power to cause any and all persons to come before them and testify, who shall be deemed by the committee to have any knowledge concerning the alleged facts upon which said charge is based, and the committee shall have power also to have produced before them any and all other evidences bearing upon said charge, whether the same be in writing or otherwise.

Resolved, also, That the chairman of the committee to be named by the Speaker shall have power to administer oaths to the witnesses appearing before them; which was read and adopted.

Mr. Dilley offered the following resolution:

WHEREAS, Retrenchment and reform is the shibboleth of this House, and is a most wholesome doctrine and very full of comfort to the tax-payers of the State, when practically carried out; and,

WHEREAS, It is at all times commendable that we should show our faith by our works, and demonstrate by practice the sincerity of our belief in that grand old doctrine, which is too often overpreached and underpracticed; therefore, be it

Resolved, That the committee whose duty it shall be to visit the different points within the State for the purpose of locating and establishing an insane asylum, be and are hereby instructed to visit the property known as Thayer College, situate near Kidder, in the county of Caldwell, in this State, and report upon its adaptation, eligibility and general fitness for the purposes of an asylum for the insane; which was read, and the further consideration postponed until Committee on Asylums make report.

Mr. McCormick of St. Louis offered the following resolution:

Resolved, That five hundred copies of the report of the Superintendent of the Blind Asylum be published for the use of the House; which was read and adopted.

Mr. Bashaw offered the following resolution:

Resolved, That the Judiciary Committee be instructed and directed to report to the House, Senate bill No. 54, without taking action thereon, said bill being An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concern-

ing arbitrations and referees; which was read, and the further consideration postponed until 10 o'clock to-morrow morning.

Mr. Morrison offered the following resolution:

Resolved, That the Committee on Education consider the propriety of passing a law for the school superintendents of the several counties to receive the public school books direct from the press instead of from the book dealer, and devise some plan by which we can avoid so many changes in school books, and report by bill or otherwise; which was read and adopted.

Mr. Collins presented a petition from citizens of Lafayette county, in relation to the reduction of salaries of county officers; which was read and referred to the Committee on Retrenchment and Reform.

Mr. Mudd of Lincoln presented a petition from citizens of Lincoln county, praying for the reduction of salaries of State and county officers; which was read, and referred to the Committee on Retrenchment and Reform.

Mr. Anderson presented a petition from W. R. Samuel, of Huntsville, Missouri, in relation to taking into consideration the purchase of Mount Pleasant College, in locating the new Lunatic Asylum; which was read and laid over informally.

Mr. Mudd of St. Louis presented a petition from the citizens and tax-payers of the town of Kirkwood, asking that their town be disincorporated; which was read, and referred to the Committee on Banks and Corporations.

Mr. Mudd of St. Louis presented a remonstrance from the citizens and tax-payers of the town of Kirkwood, against the repeal of the special law incorporating the town of Kirkwood; which was read and referred to the Committee on Banks and Corporations.

Mr. Ballew presented a petition from citizens of Carroll county, in relation to re-establishing the law of township organization; which was read and referred to the Committee on Township Organization.

The Speaker laid before the House the following communication from Elijah Gates, State Treasurer:

STATE OF MISSOURI, TREASURY, }
CITY OF JEFFERSON, Feb. 3, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

DEAR SIR:—In reply to a resolution of the House of Representatives, asking me to furnish an itemized account of the necessary amount to be appropriated for the contingent expenses of this office, I beg to submit the following:

Pay of janitor two years, at \$15.00 per month.....	\$360.00
Postage stamps two years.....	450.00
Pay for stove, \$16.00; repairs counter, \$9.00; repairs letter press, \$5.00.....	30.00
Carpet for office.....	110.00
Incidental expenses..	50.00
Total.....	\$1,000.00

Very respectfully,

ELIJAH GATES, State Treasurer.

Which was read.

The Speaker appointed the following committee under resolution of Mr. Bryan, in relation to the charges against the Doorkeeper of this House :

Messrs. Bryan, Finks, Mudd of St. Louis, Arnold and Drum.

Mr. Powers introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in relation to changing the time of electing members of the General Assembly; which was read the first time and laid over.

Mr. Cloud introduced a joint and concurrent resolution, entitled Concurrent resolution, demanding an act giving financial relief to the people of the State of Missouri in an emergency, through the utilization of their own credit resources, to be submitted to a vote of the voters of the State for their ratification or rejection; which was read the first time and laid over.

Leave of absence was granted Mr. Ewing for two days.

Leave of absence was granted Mr. Cox for one day.

Mr. Larimore introduced bill No. 248, entitled An act to regulate assessment on notes, bonds, bills, mortgages, deeds of trust and other written evidences of debt, and equalize taxation; which was read the first time and laid over.

Mr. Arnold introduced bill No. 249, entitled An act to amend section 20 of chapter 36 of the General Statutes of Missouri, entitled of county buildings and the removal of seats of justice; which was read the first time and laid over.

Mr. Arnold introduced bill No. 247, entitled An act entitled an act to amend an act entitled an act to amend chapter 201 of the General Statutes of Missouri, entitled offenses against public and private property, by adding a new section thereto, to be numbered 69 (70); said chapter is article 3, chapter 43 of Wagner's Missouri Statutes, approved April 18, 1877; which was read the first time and laid over.

Mr. Ellis introduced bill No. 250, entitled An act to amend sections 14, 20, 21, 24, 32, 38, 47, 48, 61, 65 and 66 of act of March 30,

1872, and section 3 of act of April 28, 1877, so as to abolish the office of county assessor, and establish the office of township assessor in the several counties in this State; which was read the first time and laid over.

Mr. Chilton introduced bill No. 251, entitled An act to render insurance companies, other than life, responsible for the acts of their agents; which was read the first time and laid over.

Mr. Louthan introduced bill No. 252, entitled An act to encourage marriage, and concerning married women; which was read the first time and laid over.

Mr. Powers introduced bill No. 253, entitled An act amendatory of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, etc., approved April 28, 1877; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 255, entitled An act to amend an act to amend sections 14 and 17, chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51, Wagner's Statutes; which was read the first time and laid over.

Mr. Organ introduced bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State treasury, arising from fines, penalties and forfeitures, and from the sale of strays, and for the investment and preservation of money paid under this act as a county public school fund; which was read the first time and laid over.

Mr. Crowther introduced bill No. 258, entitled An act to protect sub-contractors, employes, and persons furnishing material for public buildings or bridges; which was read the first time and laid over.

Mr. Cook introduced bill No. 256, entitled An act in relation to the consolidation of the offices of circuit clerk and recorder of deeds; which was read the first time and laid over.

Mr. Anderson introduced bill No. 264, entitled An act for the protection of California quails; which was read the first time and laid over.

Mr. Patterson of Schuyler introduced bill No. 260, entitled An act for the encouragement of sheep husbandry, and to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; which was read the first time and laid over.

Mr. Powell introduced bill No. 263, entitled An act to amend an act entitled an act to amend section 12 of an act to provide for the assessment of railroad property, and the collection of taxes thereon,

approved March 24, 1873; approved March 31, 1875, approved April 28, 1877; which was read the first time and laid over.

Mr. Craig introduced bill No. 262, entitled An act to repeal an act concerning silver coin; which was read the first time and laid over.

Mr. Freed introduced bill No. 259, entitled An act to repeal sections 5, 8, 11, 12, and 14, and to enact new sections in lieu thereof, and to add new sections to an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875; which was read the first time and laid over.

Mr. Dodson introduced bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals; which was read the first time and laid over.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 147, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 147, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith; was taken up and ordered engrossed and printed.

House bill No. 24, entitled An act abolishing the office of prosecuting attorney, and creating the office of circuit attorney, being special order for this hour; was taken up.

Mr. Hynes offered a substitute for the bill; which was read.

On motion of Mr. Palmer, the bill and substitute were made special order for 10½ o'clock, Wednesday, February 12th, and ordered printed for information.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 186, entitled An act to amend section 49 of an act to divide the State into judicial circuits, prescribing the times of holding court therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that

they have considered the same, and recommend that it do pass; which was read.

House bill No. 186, entitled An act to amend section 49 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 211, entitled An act to amend an act fixing the salary of the Clerk of the Supreme Court, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 211, entitled An act to amend section 1 of an act fixing the salary of the clerk of the Supreme Court, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up and ordered engrossed and printed.

Mr. Hale introduced bill No. 257, entitled An act to provide for the punishment of executors, administrators, guardians, curators and trustees for misappropriating or withholding money or property from rightful owners; which was read the first time and laid over.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 61, entitled An act to revise chapter 175 of title 37 of the General Statutes, concerning oaths and affirmations, in which the concurrence of the House is respectfully requested; which was read.

House bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 140, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved March 28, 1877, the same being amendatory of section 135 of chapter 118 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to Committee on Ways and Means.

House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new

sections to said chapter; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 236, entitled An act to provide for the organization of counties into municipal townships, and to regulate the government thereof; was called up, read the second time, and, on motion, referred to the Committee on Township Organization.

House bill No. 237, entitled An act requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No 238, entitled An act to amend section 11 of an act approved April 28, 1877, amendatory of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by changing the mode for publishing the personal delinquent list, was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 239, entitled An act to amend an act, entitled an act to reorganize and provide for the support of public schools and revise and amend the laws relative thereto, and repeal certain acts and parts of acts, approved March 19, 1877; which was passed and approved March 26, 1874; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 240, entitled An act to amend section 1 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 241, entitled An act to amend an act entitled an act to amend section 2 of chapter 153 of the General Statutes of Missouri, relating to mortgages and deeds of trust, approved May 15, 1877, and to amend section 13 of chapter 153 of the General Statutes of Missouri, relating to mortgages and deeds of trust; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 242, entitled An act for the relief of Wm. Mathews & Co., and to appropriate money to pay their claim against the State; was called up, read the second time, and, on motion, referred to Committee on Claims.

House bill No. 243, entitled An act to amend an act to amend section 32 of article 8 of chapter 42 of Wagner's Missouri Statutes, the same being section 32 of chapter 206 of the General Statutes of 1865, approved March 16, 1877; was called up, read the second time, and on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 244, entitled An act to authorize the sale of real estate belonging to insane persons under guardianship; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 245, entitled An act to amend section 4 of article 9 of chapter 82 of Wagner's Statutes, being section 4 of chapter 185 of the General Statutes of Missouri, relating to appeals from justices; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 246, entitled An act for the collection of delinquent taxes, when due and unpaid by civil officers; was called up, read the second time, and referred to the Committee on Ways and Means.

House bill No. 6, entitled An act to consolidate the offices of County Collector and County Treasurer, and to fix the compensation therefor; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Berry, Bohannon, Bonham, Boulware, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cowan of Holt, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Ellis, Finks, Freed, Gray, Greer, Harrison, Hubbard, Hynes, Ingram, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Pollard, Powell, Price, Ragan, Rawlings, Riley, Souder, Smith of St. Louis city, Spring, Turner, Warren, Wells, Weygandt and Withers—75.

NOES—Messrs. Arnold, Berryman, Booth, Brady, Brewer, Bryan, Carleton, Cloud, Cock, Cooper, Cowan of Christian, Cox, Craig, Dille, Dryden, Gwynne, Hayes, Hale, Ham, Hammons, Harrington, Johnson, Kneisley, Lackland, Manistre, Moler, Mudd St. Louis, McCormick of St. Louis city, Pehle, Phelan, Powers, Settles, Swank, Whitaker, Windes and Younger—36.

ABSENT—Messrs. Alldridge, Beckner, Bowman, Dade, Davis, Farr, Foster, Hall, Harrigan, Kendall, Reynolds, Talbot, Wisby and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Brown, Carroll, Dale, Dawson, Ewing, Haynes, Mott, O'Malley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Waggener and Wiley—16.

SICK—Mr. Pollock—1.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted to Mr. Talbot for one day.

Leave of absence was granted to Mr. Farr for one day.

Leave of absence was granted to Mr. Harrigan for one day.

Leave of absence was granted to Mr. Reynolds for six days.

Leave of absence was granted to Mr. O'Malley for one day.

Leave of absence was granted to Mr. Hall for one day.

On motion of Mr. Wells, the further third reading of House bills was dispensed with for to-day.

Senate bill No. 44, entitled An act to promote the science of medicine and surgery; was read the first time and laid over.

Substitute for Senate bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references; was read the first time and laid over.

On motion of Mr. Burrows, the vote by which the third reading of House bills was dispensed with was reconsidered.

House bill No. 45, entitled An act to prevent the netting of fish in the cut-off, situated on the southeast quarter of section 10 and the northeast quarter of section 15, township 57, range 24, Livingston county, Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crea-ger, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrington, Harrison, Hubbard, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Settles, Souder, Smith of St. Louis, Spring, Swank, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Younger—105.

NOES—Messrs. Bashaw and Riley—2.

ABSENT—Messrs. Alldridge, Beckner, Booth, Bowman, Cock, Dade, Davis, Farr, Foster, Hall, Harrigan, Hynes, Kendall, Powers, Reynolds, Talbot, Wisby and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Brown, Carroll, Dale, Dawson, Ewing, Haynes, Mott, O'Malley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Waggener and Wiley—16.

SICK—Mr. Pollock—1.

The title of the bill was read and agreed to.

Mr. Burrows moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The Speaker laid before the House the following communication from the Register of Lands:

OFFICE OF REGISTER OF LANDS, }
CITY OF JEFFERSON, February 3, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives of the 30th General Assembly:

SIR:—A copy of the resolution adopted by the House of Representatives on the 31st ult., requesting an itemized bill, as near as practicable, of the amount of contingent expenses asked for the use of my office for the years 1879 and 1880, has been furnished me.

In reply, I will state that it is impossible for me to make an itemized bill of my contingent expenses, as requested. The only item of necessary expenses—the amount of which I can state—is postage, say \$150 for the next two years.

If a janitor is to be paid out of my contingent fund, I will need an appropriation for that purpose, and unless an appropriation is made for the general repair of the capitol building, the repairs which are greatly needed in my office, will have to be paid for out of this fund. I will need some new shelving for records, to be forwarded from Washington—cant say what the cost will be. I may also have to pay the freight bill.

There are many little items of expense, such as cleaning office, repairing furniture, etc., that cannot be estimated.

I can only say that whatever sum is appropriated will be properly and judiciously expended.

Very respectfully, your obedient servant,

JAS. E. McHENRY,

Register of Lands.

Which was read.

On motion of Mr. Price, the House adjourned until 9½ o'clock to-morrow morning.

TWENTY-SECOND DAY—TUESDAY, February 4, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain of the Senate, Rev. T. W. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Bryan offered the following resolution :

Resolved, That the Special Committee appointed by this House to investigate the charges against the Doorkeeper, be and they are hereby authorized to employ the Sergeant-at-Arms of the House to summon witnesses before it, and they are further authorized to employ a clerk to take testimony before it, at a price not exceeding five dollars per day, for the time actually engaged in such service ; which was read and adopted.

Mr. Riley offered the following resolution :

WHEREAS, It is represented to this House that by the burning of State Asylum No. 2, 217 insane patients are now without permanent provision for their recovery, occasioned by the loss of said building ; and,

WHEREAS, On account of this character of afflictions, these unfortunates are rendered entirely helpless and dependent :

Resolved, That, in the opinion of the House, it is the duty of the State to provide ample and suitable buildings for these unfortunates ; and,

WHEREAS, The last General Assembly issued bonds of the State to the amount of two hundred and fifty thousand dollars (\$250,000), which said bonds mature on the 1st day of July, 1879, and the probabilities are that there will be no money in the treasury at the time of maturing, to liquidate the same, and this deficiency in the revenue will render it necessary to provide for said indebtedness ; and,

WHEREAS, Doubts have been expressed as to power of the Legislature to issue bonds and create a debt for the erection of proper buildings for the care of said unfortunates, under the emergency clause of the Constitution in second subdivision of section 44 of article 4 of the Constitution of the State of Missouri :

Resolved, That the Attorney-General be, and is hereby respectfully requested to give his opinion, in writing, at his earliest possible *

convenience, as to the power of the Legislature to create a debt or issue bonds, under the existing facts and Constitution, for the purpose of erecting suitable buildings for the accommodation of said unfortunates; which was read and referred to the Committee on Ways and Means.

The Speaker laid before the House the following communication from the Railroad Commissioners:

JEFFERSON CITY, Feb. 4, 1879.

HON. J. ED. BELCH, Speaker House of Representatives:

SIR:—In compliance with resolution of House, adopted Jan. 31, ultimo, I herewith have the honor to submit estimate for contingent expenses of State Board of Railroad Commissioners for years 1879 and 1880. Very respectfully, your obedient servant,

JAMES HARDING,

Of Board of R. R. Commissioners.

OFFICE OF RAILROAD COMMISSIONERS, }
ST. LOUIS, Feb. 1, 1879. }

HON. JAMES HARDING, Railroad Commissioner, Jefferson City, Mo.:

DEAR SIR:—In reply to your telegram, calling for itemized estimate of office expenses for 1879 and 1880, I submit the following:

Office rent for two years, at \$25 a month.....	\$600
Heating, gas, and care of office, at \$6.25 a month.....	150
Repairs and additions to furniture.....	50
Stationery, including blank forms for returns from railroad companies, circulars, etc., issued.....	400
Postage, express and telegrams.....	250
Books, maps and railroad periodicals.....	150
Total.....	\$1,600

Very respectfully, your obedient servant,

GEO. C. PRATT, Sec'y.

Which was read.

The Speaker laid before the House the following communication from R. D. Shannon, Superintendent of Public Schools:

DEPARTMENT OF PUBLIC SCHOOLS, }
OFFICE OF SUPERINTENDENT. }
CITY OF JEFFERSON, February 4th, 1879. }

To the Honorable Thirtieth General Assembly:

GENTLEMEN:—In response to the resolution of January 31st, offered by Hon. R. C. Palmer, I have to submit the following:

There are three separate heads of appropriation, which affect my office, and are designated as follows:

Traveling expenses Superintendent Public Schools ;
Contingent expenses Superintendent Public Schools ;
Distribution of Laws and Circulars to School officers.

The first arises from the requirements of section 49 of the school law, under which I must spend, annually, five days in each congressional district of the State, in the performance of duties prescribed. The average expense under this head has, for the last three years, (1876-7-8,) been a trifle over \$300 per annum, that for 1878 having been advanced by me for the State, from private resources. There is, of necessity, in some portions of the State, much travel by stage coach and private conveyance, which trebles the expense per mile on railroad lines. I cannot possibly meet this requirement on a less sum than \$300 annually, and in that is no provision for possible contingency which might arise.

The second head of appropriation, Contingent Fund proper, covers items which cannot be estimated or anticipated. It is for contingencies liable to arise at any moment. They may come from the wearing out or breaking down of office furniture, the burning out of the inside lining of the stoves, brooms, dusters, twine for wrapping, letter books for retaining copies of decisions and correspondence, telegraphing, postage, expressage, necessary printing not properly allowed from other appropriations, janitor's services, etc.. etc. In the last two years, although the 29th General Assembly appropriated \$900, I did not expend over \$661.40, being careful to purchase nothing that I could possibly get along without, even impairing, in some instances, the efficiency of the office by such a course.

Under the third head of appropriation, the counties receive all the blanks for making reports used by school district officials, in complying with the law; copies of the school law and of the Superintendent's report, printed under the order of the General Assembly. It also pays for the labor in counting, apportioning, packaging and addressing the blanks, forms, laws, etc., sent out from my office. The whole State is supplied through my office in this manner, the printing being done under the public contract, is much cheaper than if done in the counties, and uniformity is also secured.

The necessities of 1879 will be much greater than those of 1880, for the reason that an entire new edition of the school law, (30,000 copies) will, in all probability, have to be printed this year, and the cost of postage and expressage, as well as labor in apportioning and packaging, will be materially increased thereby. The inter-State exchange of school reports is no small item, and requests for the report of the Superintendent of Schools come from all portions of the United States. The largest demand for these, however, is from the United States

Bureau of Education, and from foreign consuls in this country, desiring Missouri statistics for foreign countries. As the spread of these documents are conducive to immigration, we cannot, of course, expect them to pay postage or expressage from here to their place of business and onward to destination, yet hoping to profit from the circulation. We pay no expressage on documents outside of the United States. The items of expenditure under this head may be classed as: postage, expressage, printing and a small amount for labor. We weigh all matter of the character prescribed, and by schedules of rates ascertain the cheapest method of transportation, to ensure safe delivery as well as rapid transit, and send it by either of the two found least expensive. As weight and volume are the constituent elements of expense under this head, no estimate can be given that will approximate the amount of money needed, for the weight and volume of these things are not known and cannot be estimated. Suffice it to say, that no more will be expended than is absolutely necessary under a strict construction of legislative design, though four times the sum be appropriated. The expenditures for 1877 and 1878 are all those found on page 80, on the bottom of 81 and on page 112 of the State Auditor's report for those years.

I have the honor to be,

Very respectfully,

R. D. SHANNON,

Sup't Public Schools.

Which was read.

The special order being the consideration of the report of the Committee on Education, in relation to the number of children in St. Louis, entitled to participate in the benefits of the State School Fund, was, on motion of Mr. Farr, postponed until Friday next, at 10½ o'clock.

House bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, entitled of the Register of Lands, being special order for this hour, was taken up. The question being, "shall the bill be engrossed and printed?"

The ayes and noes being demanded, the bill was ordered engrossed and printed, by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster,

Freed, Gray, Greer, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Rawlings, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—110.

NOES—Messrs. Carleton, Gwynne, Hayes, Lackland, Manistre, Ragan, Riley and Mr. Speaker—8.

ABSENT—Messrs. Beckner, Booth, Bowman, Chitwood, Hall, Hynes, Mahn, Maynard, McIntyre, Palmer, Pollard and Reynolds—12.

ABSENT WITH LEAVE—Messrs. Brown, Carroll, Ewing, Mott, O'Malley, Saunders, Taylor, Tiernan, Vancleve, Waggener and Wiley—11.

SICK—Mr. Pollock—1.

The special order being the consideration of the resolution offered on yesterday in relation to Senate bill No. 54, was taken up; by consent of the House, the resolution was withdrawn.

Mr. Moler presented a petition from Pleasant Gap Grange, Bates county, asking the General Assembly to pass a law prohibiting the erection of any barbed wire fence without at least a six-inch plank between the wires at the height of not less than three nor more than four feet; which was read and referred to the Committee on Agriculture.

Mr. Powers offered the following:

MR. SPEAKER: Notice is hereby given that on to-morrow or some early day, a motion to amend section 10 of article 2 of the rules of this House, by striking out nine and inserting eight, making the hour of meeting 8½ o'clock instead of 9½ o'clock; which was read and laid over under the rules.

Mr. Gray introduced bill No. 265, entitled An act to amend chapter 99 of Wagner's Missouri Statutes of 1872, entitled mortgages; which was read the first time and laid over.

Mr. Warren introduced bill No. 270, entitled An act providing for the election of the Commissioner of Permanent Seat of Government; which was read the first time and laid over.

Mr. Riley introduced bill No. 267, entitled An act to amend section 19 of chapter 36 of Wagner's Statutes relating to coroners; which was read the first time and laid over.

Mr. Larimore introduced bill No. 266, entitled An act exempting auctioneers of organized county stock sales from taking out a license ; which was read the first time and laid over.

Mr. Burrows introduced bill No. 268, entitled An act to amend an act entitled an act to prevent the destruction of fish, and to repeal an act entitled an act to prevent the destruction of fish, approved April 17, 1877 ; which was read the first time and laid over.

Mr. Burford introduced bill No. 272, entitled An act to prevent the sale, gift or loan of fire arms, bowie knives, etc., to minors, and to prevent them from carrying the same without written permission from parents ; which was read the first time and laid over.

Mr. Hayes introduced bill No. 271, entitled An act to amend section 1 of chapter 81 of the General Statutes, entitled justices of the peace ; which was read the first time and laid over.

Mr. Harrington introduced bill No. 269, entitled An act in relation to licensing attorneys ; which was read the first time and laid over.

Mr. Moler, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER : Your Committee on Agriculture, to whom was referred House bill No. 187, entitled an act to amend section 2 of article 1 of an act entitled an act for the government of cities of the fourth class, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Banks and Corporations ; which was read.

House bill No. 187, entitled An act to amend section 2 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877 ; was taken up and referred to the Committee on Banks and Corporations.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report :

MR. SPEAKER : Your Committee on Roads and Highways, to whom was referred House bill No. 113, entitled an act in relation to charging toll on turnpikes, plank and macadamized roads, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

House bill No. 113, entitled An act in relation to charging toll on turnpikes, plank and macadamized roads ; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER : Your Committee on Ways and Means, to whom was referred House bill No. 205, entitled an act in regard to fees in

the office of the Secretary of State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 205, entitled An act in regard to fees in the office the Secretary of State; was taken up and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 139, entitled An act to amend section 2, chapter 14, of the General Statutes of Missouri, so as to create the Governor, Attorney-General and Auditor commissioners of the State interest fund, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 139, entitled An act to amend section 2, chapter 14, of the General Statutes of Missouri, so as to create the Governor, Attorney-General and State Auditor commissioners of the State interest fund; was taken up and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 2, entitled An act to revise and amend chapter 77, as published in Wagner's Statutes of Missouri, vol. 1 pages 782 and 783, being chapter — of the General Statutes of said State, in relation to interest;

Also, House bill No. 20, entitled An act to regulate the rate of interest, beg leave to report that they have considered the same, and recommend that the substitute for said bills herewith submitted do pass; which was read.

House bills Nos. 20 and 2, entitled An act to regulate the rate of interest; were taken up, with substitute recommended by the Committee on Judiciary.

On motion of Mr. Lackland, the further consideration of the bills and substitute was postponed until Friday at 10 A. M., and substitute ordered printed for information.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 122, entitled a bill to prevent municipal corporations from imposing tax on exercise of certain callings, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

House bill No. 122, entitled An act to prevent the licensing or taxing by municipal corporations of certain professions; was taken up, with the following amendment recommended by the Committee on Judiciary :

Amend by adding a new section as follows, to be known as section 3: Section 3. There being no law now in force prohibiting the taxation of such professions or callings by municipalities, the prevention of such threatened taxation is hereby declared to be an emergency, and this act shall take effect and be in force from and after its passage; which was read and agreed to.

Mr. Belch, offered the following amendment:

Amend by striking out doctor and lawyer; which was read, and, pending the consideration of the amendment,

On motion of Mr. Louthan, the House adjourned until to-morrow morning at 9½ o'clock.

TWENTY-THIRD DAY—WEDNESDAY, February 5, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain of the Senate, Rev. T. W. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

The following message was received from the Senate through its Secretary, Mr. Pemberton.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House joint and concurrent resolution No. 14, entitled Joint and concurrent resolution providing for the appointment of a special committee to revise all the Statute Laws of the State of Missouri, with the accompanying amendments, in which the concurrence of the House is respectfully requested; which was read.

Leave of absence was granted Mr. Beckner for two days.

The Speaker laid before the House, the following communication from the Attorney-General:

OFFICE OF ATTORNEY GENERAL, }
CITY OF JEFFERSON, February 4, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives:

DEAR SIR:—I have the honor to acknowledge the receipt of a copy of the resolution, adopted by the House of Representatives on the 31st ult., requesting the Attorney-General, among others, “to furnish this House with an itemized bill, as nearly as practicable, of the amount of contingent expenses asked for the use of their respective departments during the years 1879 and 1880,” and, in reply thereto, I will state that I am not advised by said resolution what amount of fund for the payment of the contingent expenses of this office is proposed to be appropriated; nor have I any information on the subject, except the verbal statement of the Auditor, that the same amount would be estimated as was appropriated for the years 1877 and 1878. I have no means of making the “itemized bill” requested, not knowing what contingencies may arise which will require the expenditure of said fund. It will be needed to defray the personal expenses of the Attorney-General when attending to criminal, revenue and other cases in which the State is interested at places other than the capital, to purchase the necessary postage stamps for the use of this office, for the payment of box rent, certified copies of unpublished opinions of foreign courts for use in cases in the courts of this State, express and telegraph charges, necessary repairs of office furniture, and many other items which may arise, and which it is impossible to anticipate or to now enumerate, and of which no reliable “itemized bill” can be made. I can not, therefore, definitely fix the amount that will be required. I am unable to give the House of Representatives any further information which might aid the members thereof in determining the amount to be allowed for the purpose stated.

I have the honor to be,

Very respectfully,

J. L. SMITH,

Attorney-General.

Which was read.

The Speaker laid before the House the following communication from the State Auditor:

AUDITOR'S OFFICE, }
CITY OF JEFFERSON, February 5, 1879. }

HON. J. ED. BELCH, Speaker House Representatives Thirtieth General Assembly:

SIR:—In response to the resolution of your honorable body, requesting an itemized estimate of the expenditures necessary for the

transacting the business of this department for the years 1879 and 1880, I have the honor to present the following estimate:

For postage.....	\$700 00
For expressage.....	25 00
For telegraphing.....	50 00
For office books.....	25 00
For repairing office and furniture.....	100 00
For janitor.....	360 00
For miscellaneous.....	50 00
Total	\$1,310 00

The above is, in my opinion, the very smallest amount the department can be managed with. I have not included, however, in the estimate of contingent expenses, the item of extra clerk hire necessary to count and cancel the bonds and coupons twice in each year, believing that the General Assembly will see the importance of such provision.

I have the honor to be,

Respectfully,

THOS. HOLLADAY,

State Auditor.

Which was read.

The Speaker laid before the House the following communication from the Secretary of State:

DEPARTMENT OF STATE,
CITY OF JEFFERSON, February 4, 1879. }

To the Hon. J. ED. BELCH, Speaker of the House of Representatives:

SIR:—I have the honor, in compliance with a resolution of the Honorable the House of Representatives, of 31st ultimo, to report that the contingent expenses of the office of the Secretary of State are made up chiefly of three items, namely: Necessary postage, expressage and telegrams. For these the amount paid out annually runs from \$500 to \$600, as may be seen by reference to the State Auditor's reports for several years past.

All the other incidental contingent expenses of the office, the items of which vary and cannot be anticipated, as will also be seen by the Auditor's reports, do not exceed \$50 a year, unless the pay of a janitor be computed—this, \$15 a month. I have the honor to be,

Very respectfully, your obedient servant,

MICH'L K. McGRATH,

Secretary of State.

Which was read.

The Speaker laid before the House the following communication from the State Librarian :

OFFICE STATE LIBRARIAN, }
February 3, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives :

SIR:—In obedience to a resolution of the House, requesting me to give the House an itemized bill, as near as practicable, of the amount of contingent expenses asked for and needed by the State Library for the years 1879 and '80, I have the honor to say, that heretofore the contingent expenses of the State Library have been paid out of the general contingent fund, and that no separate contingent fund for the use of said library has ever been made.

But, if the General Assembly contemplate making such a fund, the contingent expenses of the library will be about as follows :

For pay of janitor.....	\$480 00
Stationery and postage stamps.....	150 00
Binding books, some of which were soiled by water leaking through the roof.....	250 00
Express and freight charges on books.....	150 00
Repairing and replacing furniture, shelving, stoves, gas-fix- tures, etc.....	150 00
Total.....	\$1,180 00

The expenses for fuel and lights, used by the library, are paid out of the Supreme Court contingent fund. I have the honor to be,

Very respectfully, etc.,

HENRY W. EWING,

State Librarian.

Which was read.

The Speaker laid before the House the following communication from the Chief Justice of the Supreme Court :

SUPREME COURT OF MISSOURI, }
CITY OF JEFFERSON, February 5, 1879. }

To the Hon. J. ED. BELCH, Speaker of the House of Representatives :

SIR:—The Judges of the Supreme Court, in response to a communication of which we are in receipt from the honorable body over which you preside, herewith inclose an "itemized bill" of the contingent expenses of this department, as requested in said communication. I have the honor to be,

Your obedient servant,

T. A. SHERWOOD, C. J. S. C. Mo.

For making pigeon-holes for records transferred from St. Louis and St. Joseph, in record room, as well as for records of Supreme Court at Jefferson City.....		\$500 00
Gaslight (including library and Attorney-General's office) ..		480 00
Stationery, postage and record books.....		995 00
Printing docket and blanks.....		1,100 00
Fuel (wood and coal), including library and Attorney-General's office.....		500 00
Janitor and night watchman (wood-sawing included).....		1,800 00
One night watchman during vacation of court.....		360 00
Marshal.....		2,000 00
Assistant librarian, (such sum as may be thought proper).		
Washing bed-clothes and towels, taking up and cleaning carpets		215 00
Insurance on books in State Library.....		600 00
Contingent expenses, such as repairing building, repairing and replacing furniture, stoves, gas-fixtures, etc.....		400 00
Which was read.		

Mr. Lesueur offered the following resolution :

Resolved, That the joint and concurrent resolution heretofore considered by this House for the purpose of appointing a joint committee from the House and Senate to visit various points suggested as suitable locations for a State Lunatic Asylum, be made the special order to follow immediately after the report of the House Committee on Asylums, regarding the destruction by fire of Asylum No. 2, at St. Joseph ; which was read and adopted.

Mr. Gray presented a petition from citizens of Putnam county, praying for the reduction of salaries of State and county officers ; which was read, and, on motion, referred to the Committee on Retrenchment and Reform.

Mr. Hall presented a petition from working men in the State of Missouri, praying for the Legislature to take into consideration the necessity of creating a bureau of labor statistics ; which was read, and, on motion, referred to the Committee on Manufactures.

Mr. Lackland presented a resolution from the board of school directors of the city of St. Charles, relating to the present school law ; which was read, and, on motion, referred to the Committee on Education.

Mr. Arnold presented a memorial from Thomas G. Brent, of Jefferson county offering the property known as Kennett Castle, to the State for an insane asylum, upon certain conditions ; which was read, and, on motion, laid over informally.

Leave of absence was granted Mr. Windes for eight days.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report :

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 155, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening and repairing the same, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and recommend that it do not pass ; which was read.

House bill No. 155, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith ; was taken up and ordered engrossed and printed.

House bill No. 122, entitled An act to prevent the licensing or taxing by municipal corporations, of certain professions ; which was pending, with amendment, at the hour of adjournment on yesterday ; was taken up, by consent of the House, the pending amendment was withdrawn ; the bill, as amended, was ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 12, entitled An act entitled an act for the better protection of the State school fund, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass ; which was read.

House bill No. 12, entitled An act entitled an act for the better protection of the State school fund ; was taken up, with substitute recommended by the Committee on Ways and Means ; the substitute was agreed to, and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, etc., etc., concerning the assessment and collection of the revenue, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

House bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, etc., concerning the assessment and collection of the revenue ; was taken up and ordered engrossed and printed.

Mr. Farr, from the Committee on Education, submitted the following report :

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 70, entitled An act in relation to public school fund, beg leave to report that they have had the same under consideration and have instructed me to report the accompanying substitute therefor to the House, with the recommendation that the substitute do pass; which was read.

House bill No. 70, entitled An act in relation to public school funds; was taken up, with substitute recommended by the Committee on Education.

Mr. Bonham offered the following amendment to the substitute :

Amend by striking out the words six months, and insert the words seven months; which was read and not agreed to.

Mr. Riley offered the following amendment to the substitute :

Amend by adding after the words surplus fund the clause, that has been derived as interest from sale of sixteenth section, swamp lands and other donations; which was read and not agreed to; the substitute was read and agreed to, and ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 179, entitled An act to amend section 26 of chapter 98 of the General Statutes, being section 26 of chapter 48 of Wagner's Statutes, beg leave to report that they have considered the same, and recommend that said bill, with the accompanying amendment, do pass; which was read.

House bill No. 179, entitled An act to amend the General Statutes of Missouri, entitled of dramshop-keepers and their licenses, being section 26 of chapter 48 of Wagner's Statutes, was taken up with the following amendment recommended by the Committee on Criminal Jurisprudence :

Amendment to House bill No. 179: Insert after the words, gifts or dispositions, in the ninth line of the second page of said bill, the following words, to wit:

Provided, also, that no such wine-growers have the right to sell, give away, or otherwise dispose of any wine, to any person, on the first day of the week, commonly called Sunday; which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 168, entitled An act to repeal an act entitled an act to prevent persons from testifying in their own behalf in criminal cases, approved April 18, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 168, entitled An act to repeal an act entitled an act to prevent persons from testifying in their own behalf in criminal cases, approved April 18, 1877; was taken up, and the House refused to order it to engrossment and printing.

Mr. Riley, from the Committee on Lunatic Asylums, submitted the following report:

REPORT OF ASYLUM COMMITTEE.

MR. SPEAKER: Your Committee on Lunatic Asylum beg leave to submit the following report of their visit to Asylum No. 2, located at St. Joseph. On the afternoon of the 29th ult., your committee, with a similar committee of the Senate, arrived at the city of St. Joseph, and immediately repaired to the Asylum grounds, near that place. After a thorough inspection of the property, it returned to the city, and on the following day repaired to the court house, and after organizing the committees into a joint committee, called before it the officers and managers of the Asylum, and required from them:

- A. First—The evidence, in writing, as to the origin of the fire.
- B. Second—A copy of the pay-roll for the month of December, 1878.
- C. Third—A list of the employes of the Asylum at the present time.
- D. Fourth—An estimate of the value of all the property belonging to the State, at Asylum No. 2.
- E. Fifth—A report from competent architects and builders as to the value of the Asylum buildings and materials on the ground.
- H. Sixth—A list of the pay patients.
- G. Seventh—A report from the Superintendent, suggesting for temporary relief of the patients; also, a plan for temporary buildings for their use.

The committee arrived at the conclusion that the fire was the result of accident, and in nowise chargeable to any negligence on the part of the Superintendent or any of the employes of the Institution. The evidence on that subject is clear and satisfactory, and is hereby appended, marked A. We herewith annex a copy of the pay-roll for December, 1878, marked B; also, a list of the employes at the present time, marked C.

Your committee caused an inventory to be made of all the property of the State on the Asylum grounds, and had the same assessed by competent men. The aggregate assessed value of said property, real and personal, amounts to \$115,389.50, which will more fully appear by reference to exhibit D.

The report of the board of architects and builders, made at the request of your committee, touching the value of the Asylum property and its present condition, is herewith marked E.

It appears that the value of the building material now on the ground, available for rebuilding the Asylum, is \$67,275, and that by using said material the edifice can be replaced as before for \$88,725, all of which will more fully appear by reference to said report.

In response to the request of your committee, a list of the pay patients was rendered by the treasurer and hereby appended, marked F; also, a plan of Superintendent Collett for temporary buildings for the use of the insane, until more permanent quarters can be provided, together with his reports, is hereby appended.

Your committee found, on their arrival at St. Joseph, that a large number of the patients from the Asylum were cared for at the court house, a number of them at the Medical Hospital, some at private houses, and a few convalescents were, by leave of the Superintendent, taken to their homes temporarily; that they were well cared for and comfortable in all respects.

The court house used at present for asylum purposes, is a new, very large and commodious structure, as well adapted for its present use as any building could be, not erected for Asylum purposes.

A drawing of the same, showing its interior arrangements and size, accompanies this report.

Since the recent visit of your committee, they have received from the board of managers assurances that the county court of Buchanan county, in which the Asylum is situated, has placed the court house at the disposal of the State for Asylum purposes, until permanent buildings could be erected on the grounds of the Asylum, at the convenience of and without any expense to the State; that now all the patients of Asylum No. 2 are lodged in the court house upon the second floor of the building, in large, light, airy quarters, and the cook-room, bath-room dining-room, etc., are in the basement, which has been fitted up for the purpose.

In this connection, the committee calls attention to the communication of Ex-Governor Woodson, acting President of the Board of Managers of Asylum No. 2, as well as the resolutions of the Board of Trade of the city of St. Joseph, endorsing the action of said Board of Trade and guaranteeing the fulfillment of the promises contained therein, which are hereto attached as part hereof, marked H and I.

When the Asylum was destroyed the inmates were left with only the clothing upon them when the fire occurred. To relieve their destitution the citizens of St. Joseph, with rare liberality, contributed money and fabrics, from their private means, sufficient to replace all their losses, and the ladies of the city, with benevolence unsurpassed, exerted themselves untiringly in behalf of the unfortunates, filling a large hall with sewing machines, and with their own hands worked early and late in the cause of humanity and mercy. They deserve well of the State and are entitled to its thanks.

Respectfully submitted,

JOHN T. RILEY,

Chairman of Lunatic Asylum.

Which was read.

On motion of Mr. Wells, 500 copies of the report and the documents accompanying it, were ordered printed.

The special order being the consideration of House bill No. 152, entitled An act to prescribe the powers and duties of the board of education; was taken up, and, on motion, made the special order for Wednesday, February 12, at 10½ A. M.

The special order being the consideration of joint and concurrent resolution No. 18, entitled Joint and concurrent resolution in relation to the location of an insane asylum; was taken up.

Mr. Vancleve offered the following amendment:

Resolved, That the committee to visit the different places offering a location for State Lunatic Asylum No. 2, be selected from members having no location to offer in the counties or cities they represent; which was read and agreed to.

Mr. McDaniel offered the following amendment:

Amend by adding: And further, to visit the Sweet Springs at Brownsville, Saline county, Missouri, view the locality, consider the medicinal qualities of the water of said springs, inquire into the matter of obtaining grounds for the erection of a lunatic asylum, and report the result of their labors, together with their opinion, as to the propriety and expediency of locating the asylum at that point; which was read and agreed to.

Mr. Gwynne offered the following amendment:

Amend by adding after the words "Limerick Lawn," the following words: "The property known as the Widows' and Orphans' Home," same being situated near the City of Kansas, and particularly described as the southeast quarter of section seventeen (17) in township number forty-nine (49) of range number thirty-three (33) in the county of Jackson and State of Missouri; which was read and agreed to.

Mr. Wisby offered the following amendment:

Amend by inserting the word Springfield, after the words, Limerick Lawn; which was read and agreed to.

Mr. Dilley offered the following amendment:

Amend by adding, Thayer College at Kidder, Caldwell county; which was read and agreed to.

Mr. Wiley offered the following amendment:

Amend by inserting the word Moberly after the word Springfield; which was read and agreed to.

Mr. Riley offered the following amendment:

Amend by adding the name of St. Joseph, Missouri; which was read and agreed to.

Mr. Burford offered the following amendment:

That said committee pay their own expenses in visiting places competing for location; which was read and agreed to.

The question recurring upon the adoption of the resolution as amended, it was not adopted.

Mr. McDaniel called up Senate amendments to House joint and concurrent resolution No. 14, entitled Joint and concurrent resolution, providing for the appointment of a special committee to revise all the Statute laws of the State of Missouri.

Senate amendment No. 1—Amend by striking out all of section 4.

Senate amendment No. 2—Amend section five by striking out the word fifth, the first word in said section, and by inserting in lieu thereof the word fourth.

Senate amendment No. 3—Amend section six by striking out the word sixth, the first word in said section, and by inserting in lieu thereof the word fifth.

Senate amendment No. 4—Amend by adding thereto two new sections, to be known as sections sixth and seventh, to read as follows:

Sixth—Whenever the chairman of any committee of either the Senate or House, to whom have been referred any bill, are ready to report on the same by amendment, substitute or otherwise, and the said report is that the said bill as reported do pass, the chairman shall report the same to his respective body, and said bill shall be recommended to the committee of revision, provided for in section 1 of this resolution, who shall proceed to consider the same as if it had originated with them in the line of their prescribed duties, under this resolution, and shall report the same back to the body in which it originated, together with their action upon the same.

Seventh—Whenever the chairman of any committee of either the Senate or House, to whom have been referred any bill, are ready

to report upon the same, and said report is without recommendation, or that said bill do not pass, the chairman shall report the same to his respective body, to be proceeded upon as required by law, and if it pass both the Senate and the House, it shall be recommitted by the House in which it was last considered, to the revision committee, to be by them incorporated in the revised laws of the State.

Amend title by striking out all after the word "criminal" in the fourth line.

Which were read and concurred in, by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—122.

NOES—Messrs. Arnold, Dawson and Patterson of Linn—3.

ABSENT—Messrs. Bowman, Chitwood, Dale, Ewing, Farr, Hynes, Maynard, Palmer, Pollard, Ragan, Reynolds and Younger—12.

ABSENT WITH LEAVE—Messrs. Beckner, Mahn, Taylor and Waggener—4.

SICK—Mr. Pollock—1.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the amendments were concurred in, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McGarry introduced bill No. 273, entitled An act to repeal an act entitled an act incorporating the town of New Franklin, and the several acts amendatory thereto, to-wit: An act to incorporate the town of New Franklin, approved January 16, 1833; and an act to amend an act entitled an act to incorporate the town of New Franklin, approved February 8, 1839; and an act providing that all con-

tracts made by said trustees of said town of New Franklin, for the purpose of revising the amount of money authorized to be raised by the said act of incorporation and the acts amendatory thereof be and the same are hereby declared to be illegal, and may be carried out according to the true intent and meaning of the parties thereto, approved December 1855; also, providing for the punishment of persons drawing schemes of lottery for the benefit of the town of New Franklin, or selling or keeping or advertising sale of tickets of any such scheme of lottery; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bills Nos. 16 and 30, entitled An act to provide a jury system in cities having over 100,000 inhabitants; and,

An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Kneisley introduced bill No. 275, entitled An act entitled an act to repeal an act entitled an act to restrain the sale of intoxicating liquors in the vicinity of the State University of the State of Missouri, approved March 25, 1875; which was read the first time and laid over.

Mr. Hall introduced bill No. 274, entitled An act in relation to the insane; which was read the first time and laid over.

Mr. Johnson introduced bill No. 276, entitled An act to amend sections 38, 65, 70, 109, 110 and 122 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

On motion of Mr. Bashaw, the House adjourned until to-morrow morning at 9½ o'clock.

TWENTY-FOURTH DAY—THURSDAY, February 6, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Taylor, the further reading was dispensed with.

The Speaker announced the following as special committee on part of the House, under joint and concurrent resolution providing for the appointment of a special committee to revise all the statute laws of the State :

Messrs. McDaniel, Dryden, McIntyre and Anderson.

Mr. Rawlins offered the following resolution :

Resolved, That the Committee on Township Organization, be authorized to procure a room suitable for the meeting of said committee; which was read and adopted.

Mr. Wells offered the following resolution :

Resolved, That the Committee on Claims be allowed a clerk for the use of said committee; which was read and adopted.

Mr. Cock presented a petition from citizens of Henry county praying to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating liquors within this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McIntyre presented a petition from ministers of the gospel of Audrain county, praying for the passage of a law requiring parties getting married in this State, to procure a license therefor from some proper officer; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Gray presented a petition from citizens of Putman county, praying for the passage of a law prohibiting the sale of intoxicating liquors in this State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Diercks presented a petition from citizens of Osage county praying for the passage of a law prohibiting hunters coming in from other counties and hunting in Osage county; which was read, and on motion referred to the Committee on Agriculture.

Mr. Kneisley presented a petition from citizens of Boone county, praying the General Assembly to repeal an act entitled An act to restrain the sale of intoxicating liquors in the vicinity of the State University; which was read, and, on motion, referred to the Committee on State University.

Mr. Lockhart presented a petition from certain citizens of Grundy county in relation to marriage licenses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Wells introduced bill No. 277, entitled An act to amend section three of chapter 174 of the General Statutes of 1865, being section three of chapter three of Wagner's Statutes, relating to advertise-

ments, publication of judicial notices, and other matters ; which was read the first time and laid over.

Mr. Farr introduced bill No. 278, entitled An act to amend an act entitled an act for the classification of cities and towns, approved April 21, 1877 ; which was read the first time and laid over.

Leave of absence was granted for one day to the special committee appointed to investigate the affairs of the Treasurer's office.

Mr. Harrigan introduced bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments, coins and metals ; which was read the first time and laid over.

Mr. Saunders introduced bill No. 281, entitled An act to amend article three of chapter seventy-six of Wagner's Statutes, entitled insurance other than life, approved March 10, 1869 ; which was read the first time and laid over.

Mr. Ragan introduced bill No. 280, entitled An act in relation to fire insurance ; which was read the first time and laid over.

Mr. Taylor introduced bill No. 283, entitled An act to amend section four of an act entitled An act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith ; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 284, entitled An act to require the publication of county court proceedings and settlements with county collectors and treasurers ; which was read the first time and laid over.

Mr. Wisby introduced bill No. 282, entitled An act to amend section 118 of chapter 118 of Wagner's Statutes by adding after the word taxes and before the word provided in the seventh line of the section the following: Except household property to the value of not exceeding two hundred dollars, which shall be exempt from such seizure and sale ; which was read the first time and laid over.

Mr. Bryan introduced bill No. 286, entitled An act to amend section 34 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter eighty-three of the General Statutes, approved April 14, 1877 ; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 287, entitled An act to amend section two of chapter 113 of the General Statutes of the State of Missouri, entitled of marriage and marriage contracts, the same being chapter ninety-three, section two of Wagner's Statutes ; which was read the first time and laid over.

Mr. Pehle introduced bill No. 288, entitled An act concerning the collection of road taxes; which was read the first time and laid over.

Mr. Haynes introduced bill No. 285, entitled An act to amend an act entitled an act to amend chapter 63 of the General Statutes, entitled of railroad companies, so as to authorize the consolidation, extension and leasing of railroads, approved March 24, 1870; which was read the first time and laid over.

Mr. Carleton, from the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER: Your Committee on Swamp Lands, to whom was referred House bill No. 48, entitled An act to amend an act entitled an act for the repayment of purchase money by counties in cases of erroneous sales of swamp lands by said counties, also to correct erroneous patents and records of same, and to provide for transferring said records to the office of recorder of deeds and conveyances, beg leave to report that they have considered the same, and submit a substitute for the same, and recommend that it do pass; which was read.

House bill No. 48, entitled An act to amend an act entitled an act for the repayment of purchase money by counties in cases of erroneous sales of swamp lands by said counties, also to correct erroneous patents and records of same, and to provide for transferring said records to the office of the Recorder of Deeds and Conveyances; was taken up, with the substitute recommended by the Committee on Swamp Lands.

The substitute was agreed to, and ordered engrossed and printed.

Mr. Carleton, from the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER: Your Committee on Swamp Lands, to whom was referred House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers, approved April 21, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamps and overflowed lands, and for the protection of lands bordering on rivers, approved April 21, 1877; was taken up and ordered engrossed and printed.

The following message was received from the Governor, through his Private Secretary, Mr. Yos t:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, Feb. 5th, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR:—I have the honor to submit the enclosed estimate of the contingent expenses of the office of Governor for the years 1879 and 1880, in reply to the resolution of the House of Representatives, adopted on the 31st ult. The business of the office is increasing, and that brings slightly increased expenditure. It is impossible to foretell exactly what expenditures, and how much, will be required. No money will be expended under this head of appropriation, except that which will be absolutely necessary.

Very respectfully,

JOHN S. PHELPS.

Estimate of contingent expenses of Governor for the years 1879 and 1880:

Postage	\$320 00
Janitor, under the present management.....	420 00
Telegraph dispatches.....	180 00
Traveling expenses of self, and others, on business of State.....	200 00
Ice.....	40 00
Repairs of Furniture, (books, probably).....	30 00
Total.....	\$1,190 00

JOHN S. PHELPS.

Which was read.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions; was taken up and ordered engrossed and printed.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 87, entitled An act to amend an act entitled an

act to reorganize and provide for the support of the public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874, have had the same under consideration, and have instructed me to report the accompanying substitute therefor to the House, with the recommendation that the substitute do pass; which was read.

House bill No. 87, entitled An act to amend section 1 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874, was taken up with the substitute recommended by the Committee on Education; the substitute was agreed to, and ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 4, entitled An act to provide for the infliction of corporal punishment in certain cases;

Also, House bill No. 31, entitled An act for the suppression of petty thefts and certain misdemeanors by the establishment of the whipping-post, beg leave to report that they have considered the same, and recommend that the accompanying substitute herewith submitted do pass; which was read.

House bills Nos. 4 and 34, entitled An act to provide for the infliction of corporal punishment in certain cases; were taken up with the substitute recommended by the Committee on Criminal Jurisprudence.

On motion the substitute was made the special order for February 19, at 10½ o'clock, and ordered printed for information.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your committee on Education, to whom was referred House bill No. 54, entitled An act to aid school districts in erecting houses, have had the same under consideration, and have instructed me to report said bill back to the House with the recommendation that it do not pass; which was read.

House bill No. 54, entitled An act to aid school districts in erecting houses; was taken up, and the House refused to order it to engrossment and printing.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House bill No. 32, entitled An act to repeal an act en-

titled of Indians, approved March 13, 1866, have had the same under consideration, and have instructed me to report said bill back to the House with the accompanying substitute therefor, with the recommendation that the substitute do pass; which was read.

House bill No. 32, entitled An act to repeal the act of the General Assembly on pages 903 and 904 of the General Statutes, entitled of Indians, approved March 13, 1866; was taken up with the substitute recommended by the Committee on Federal Relations.

The substitute was agreed to and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred joint and concurrent resolution No. 8, entitled Joint and concurrent resolution instructing our Senators and Representatives in Congress to vote for and support, by all honorable means, the bill now pending before Congress, placing the enrolled militia of the several States in the late war upon an equality with the regular volunteer soldiers with respect to the right of homestead, as provided by section 2,306 of the Revised Statutes of the United States, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 8, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives to vote for and support, by all honorable means, the bill now pending before Congress, placing the enrolled militia of the several States in the late war upon an equality with the regular volunteer soldiers with respect to the right of homestead, as provided by section 2,306 of the Revised Statutes of the United States; was taken up and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 216, entitled An act to repeal sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 216, entitled An act to repeal sections 8, 9, 10, 11 and 12 of chapter 78, General Statutes of Missouri, entitled of the preservation of fish and destruction of wolves, and all acts and parts of acts amendatory thereto; was taken up, the question being upon the engrossment and printing of the bill.

The ayes and noes being demanded, the House refused to order the bill to engrossment and printing by the following vote:

AYES—Messrs. Anderson, Andrews, Bashaw, Boulware, Campbell of St. Louis city, Cook, Cowan of Christian, Cox, Dade, Davis, Diercks, Dougherty, Dryden, Hayes, Hale, Haynes, Ingram, Lesueur, Lynn, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Settles, Souder, Tevis, Turner, Vancleve, Warren, Wells, Whitaker and Wiley—38.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Brewer Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Holt, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Gwynne, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Mabrey, Mackey, Manistre, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Patterson of Linn, Pepper, Phelan, Powell, Powers, Price, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Waggener, Weygandt, Wisby and Withers—85.

ABSENT—Messrs. Bowman, Chitwood, Dale, Foster, Greer, Hynes, Johnson, Knight, Mahn, Maynard, Palmer, Pollard, Ragan, Reynolds and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Beckner and Windes—2.

SICK—Messrs. Pollock and Younger—2.

Mr. Bonham moved to reconsider the vote by which the House refused to order the bill to engrossment and printing.

Mr. Powers moved to lay the motion to reconsider on the table; which was agreed to.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 105, entitled An act to amend an act entitled roads and highways, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 105, entitled An act to amend an act entitled roads and highways; was taken up and the House refused to order it to engrossment and printing.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 1, entitled An act in relation to the State Treasury, beg leave to report that they have examined the same, and

find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Younger was reported sick.

Leave of absence was granted Mr. Drum for three days.

Substitute for House bill No. 1, entitled An act in relation to the State Treasury; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby and Withers—118.

ABSENT—Messrs. Bowman, Brady, Carroll, Chitwood, Cox, Creager, Dale, Foster, Gwynne, Hynes, Knight, Mahn, Maynard, Pepper, Polard, Reynolds, Vancleve, Lackland and Mr. Speaker—19.

ABSENT WITH LEAVE—Messrs. Beckner and Windes—2.

SICK—Messrs. Pollock and Younger—2.

Two-thirds of all the members-elect voting in favor of the substitute, the emergency clause was declared adopted.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes, beg leave to report that they have

examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dille, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Powell, Price, Ragan, Rawlings, Riley, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Withers—113.

NOES—Mr. Powers—1.

ABSENT—Messrs. Bowman, Brady, Brown, Carroll, Chitwood, Dale, Foster, Gwynne, Harrigan, Hynes, Knight, Mahn, Maynard, Mott, Palmer, Pepper, Pollard, Reynolds, Saunders, Taylor, Vancleve Wiley and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Beckner, Drum and Windes—3.

SICK—Messrs. Pollock and Younger—2.

Two-thirds of all the members elect voting in favor of the bill, the emergency clause was adopted.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled House joint and concurrent resolution No. 14, entitled Joint and concurrent resolution providing for the appointment of a special committee to revise all the statute

laws of the State of a general nature, both civil and criminal ; which was read.

Mr. Wisby, from the Committee on Internal Improvement, submitted the following report :

MR. SPEAKER : Your Committee on Internal Improvements, to whom was referred House bill No. 237, entitled An act requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks, beg. leave to report that they have considered the same and recommend that it do not pass ; which was read.

House bill No. 237, entitled An act requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks ; was taken up.

On motion of Mr. Anderson, the further consideration of the bill was postponed until Friday morning, February 7th.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER : Your Committee on Internal Improvements, to whom was referred House bill No. 221, entitled An act for the protection of minors and other persons against accidents and injuries on railroads, beg. leave to report that they have considered the same and recommend that it do not pass ; which was read.

House bill No. 221, entitled An act for the protection of minors and other persons against accidents and injuries on railroads ; was taken up.

The House refused to order the bill to engrossment and printing.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER : Your Committee on Internal Improvements, to whom was referred House bill No. 74, entitled An act to prohibit railroad companies from cleaning stock cars on any but inclosed lands, beg. leave to report that they have considered the same, and adopted the following substitute and recommend that the substitute do pass ; which was read.

House bill No. 74, entitled An act to prohibit railroad companies from cleaning stock cars on any but inclosed lands ; was taken up with the substitute recommended by the Committee on Internal Improvements.

The substitute was agreed to and ordered engrossed and printed.

Mr. McIntyre offered the following resolution :

Resolved, That 200 copies of House joint and concurrent resolution No. 14, be printed for the use of the members of this House ; which was read and adopted.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 160, entitled An act in relation to the prevention of hog cholera and Texas cattle disease, beg leave to report that they have considered the same, and recommend that the resolution herewith submitted as a substitute, do pass; which was read.

House bill No. 160, entitled An act in relation to the prevention and cure of hog cholera and Texas cattle disease; was taken up, and the House refused to order it to engrossment and printing.

The following resolution recommended by the committee:

WHEREAS: The farmers and stock raisers of the State of Missouri suffer great loss from hog cholera and Texas cattle disease, and it is desirable to prevent the spread of said disease; and,

WHEREAS, John S. Mellon has copyrighted and published a valuable treatise on the prevention and cure of said disease; therefore, be it

Resolved, That the House of Representatives of the 30th General Assembly of the State of Missouri commend said treatise to the farmer and stock raisers of this State; was read and adopted.

On motion of Mr. Hall, the House took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker *pro tem*. Campbell in the chair.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 196, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84, Acts 1871-2, approved March 30, 1872, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 196, entitled An act to amend section 96 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84, Acts 1871-2, approved March 30, 1872, was taken up with the substitute recommended by the Committee on Retrenchment and Reform.

The subject was agreed to and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said court, beg leave to report that they have considered the same, and recommend that it do pass with the amendments herewith submitted; which was read.

Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said court; was taken up with the amendments recommended by the Committee on Judiciary.

Amendment No. 1. Insert after the word shall, in the ninth line of sections one, the following words: within ninety days after the appointment and qualification of said commission, and before the submission of such cause.

Amendment No. 2. Amend section 5 by striking out the words, a suitable room, in said section, and inserting in lieu thereof the words, suitable rooms.

Amendment No. 3. Amend section 5 by inserting after the words, capitol building, the words, or Supreme Court building; which were read and agreed to.

On motion, the bill, as amended, was made special order for Tuesday next at 10½ o'clock A. M., and 200 copies ordered printed for information of the House.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 203, entitled An act to equalize the burthen of taxation and increase the revenue, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 203, entitled An act to equalize taxation and increase State, county and municipal revenues; was taken up.

The question being, "shall the bill be engrossed and printed?"

The ayes and noes being demanded, the House refused to order the bill engrossed and printed, by the following vote:

AYES—Messrs. Burrows, Cloud, Knight, Mudd of Lincoln, McElvain, McKinney and Swank—7.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Dilley, Dodson, Dougherty,

Dryden, Ellis, Ewing, Farr, Freed, Gray, Greer, Gwynne, Hayes, Hale-Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powers, Price, Ragan, Rawlings, Riley, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Withers—106.

ABSENT—Messrs. Bowman, Brown, Chilton, Cock, Chitwood, Dale, Diercks, Finks, Foster, Hall, Hynes, Maynard, Mott, Mahn, Palmer, Pollard, Powell, Reynolds, Saunders, Taylor, Tevis, Tiernan, Wiley and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Beckner, Drum and Windes—3.

SICK—Messrs. Pollock and Younger—2.

Mr. Bonham introduced bill No. 289, entitled An act to regulate the scale of fees to be collected by county clerks, circuit clerks and recorders of deeds in the State of Missouri; which was read the first time and laid over.

House bill No. 247, entitled An act to amend an act entitled an act to amend chapter 201 of the General Statutes of Missouri, entitled offenses against public and private property, by adding new sections thereto, to be numbered 69 and 70, said chapter is article 3, chapter 42 of Wagner's Missouri Statutes, approved April 18, 1877; was called up, read the second time and referred to the Committee on Criminal Jurisprudence.

House bill No. 248, entitled An act to regulate assessments on notes, bonds, bills, mortgages, deeds of trust and other written evidences of debt, and to equalize taxation; was called up, read the second time, and referred to the Committee on Ways and Means.

House bill No. 251, entitled An act to render insurance companies, other than life, responsible for the acts of their agents; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 249, entitled An act to amend section 20 of chapter 36 of the General Statutes of Missouri, entitled of county buildings and the removal of seats of justice; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 250, entitled An act to amend sections 14, 20, 21, 24, 32, 38, 47, 48, 61, 65 and 66 of an act of March 30, 1872, and section

3 of an act of April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 252, entitled An act to encourage marriages and concerning married women; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 253, entitled An act amendatory of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, etc., approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury, arising from fines, penalties and forfeitures, and from the sale of strays, and for the investment and preservation of money paid under this act as a county public school fund; was called up read, the second time, and, on motion, referred to the Committee on Education.

House bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 255, entitled An act to amend an act to amend sections 14 and 17, chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 256, entitled An act in relation to the consolidation of the offices of circuit clerk and recorder of deeds; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 257, entitled An act entitled an act to provide for the punishment of executors, administrators, guardians, curators and trustees, for misappropriating or withholding money or property from rightful owners; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 258, entitled An act to protect sub-contractors, employes and persons furnishing material for public buildings or bridges; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 259, entitled An act to repeal sections 5, 8, 11, 12 and 14, and to enact new sections in lieu thereof, and to add new sections to an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners and to prescribe their powers and duties, approved March 29, 1875;

was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 260, entitled An act for the encouragement of sheep husbandry, and to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 262, entitled An act to repeal an act concerning silver coin; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House bill No. 263, entitled An act to amend an act entitled an act to amend section 12 of an act to provide for the assessment of railroad property and the collection of taxes thereon, approved March 24, 1873, approved March 31, 1875, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House Bill No. 264, entitled An act for the protection of California quails; was called up, read the second time, and, on motion, referred to Committee on Agriculture.

House bill No. 265, entitled An act to amend chapter 99 of Wagner's Missouri Statutes of 1872, entitled mortgages; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 266, entitled An act exempting auctioneers of organized county stock sales from taking out a license; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 267, entitled An act to amend section 19 of chapter 34 of Wagner's Statutes, relating to coroners; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

House bill No. 268, entitled An act to amend an act entitled an act to prevent the destruction of fish, and to repeal an act entitled an act to prevent the destruction of fish, approved April 17, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 269, entitled An act in relation to licensing attorneys; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 270, entitled An act providing for the election of the Commissioner of the Permanent Seat of Government; was called up, read the second time, and, on motion, referred to Committee on Permanent Seat of Government.

House bill No. 271, entitled An act to amend section 1 of chapter 81 of the General Statutes, entitled justices of the peace; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 272, entitled An act to prevent the sale, gift or loan of fire-arms, bowie knives, etc., to minors, and to prevent them from carrying the same without written permission from parents or guardians; was called up, read the second time, and, on motion, referred to the committee on Criminal Jurisprudence.

House bill No. 273, entitled An act to repeal an act entitled an act incorporating the town of New Franklin, and the several acts amendatory thereto; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 274, entitled An act in relation to the insane; was called up, read the second time, and, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylum.

House bill No. 275, entitled An act to repeal an act entitled an act to restrain the sale of intoxicating liquors in the vicinity of the State University of the State of Missouri, approved March 25, 1875; was called up, read the second time, and, on motion, referred to the Committee on State University.

House bill No. 276, entitled An act to amend sections 38, 65, 70, 109, 110 and 122 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House joint and concurrent resolution No. 19, entitled Joint and concurrent resolution in relation to submitting to the voters of the State at the general election in 1880, a proposition to amend article 14 of the Constitution of the State; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

House joint and concurrent resolution No. 20, entitled A concurrent resolution demanding an act giving financial relief to the people of the State of Missouri in an emergency, through the utilization of their own credit resources, to be submitted to a vote of the voters of the State for their ratification or rejection; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House joint and concurrent resolution No. 21, entitled Joint and concurrent resolution in relation to the time of choosing members of the General Assembly; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

On motion of Mr. Davis, the House adjourned until 9½ o'clock to-morrow morning.

TWENTY-FIFTH DAY.—FRIDAY, February 7, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Manistre, the further reading was dispensed with.

Mr. Manistre offered the following resolutions :

Resolutions in relation to the impeachment of Elijah Gates, Treasurer of the State of Missouri :

Resolved, That the articles of impeachment hereto attached, be exhibited against Elijah Gates, Treasurer of the State of Missouri, for misconduct, high crimes and misdemeanors in office, and that five managers be immediately elected by the House to prosecute and manage said impeachment.

Articles exhibited by the House of Representatives of the 30th General Assembly of the State of Missouri, in the name of themselves, and all the people of the State of Missouri against Elijah Gates, Treasurer of the State of Missouri, in maintenance and support of their impeachment against him for misconduct, high crimes and misdemeanors in office.

ARTICLE I.

That the said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his office, and of his oath of office, in violation of the Constitution and Laws of the State of Missouri, on the — day of January, in the year of our Lord one thousand eight hundred and seventy-seven, in the county of Cole and State of Missouri, did unlawfully and with intent to cheat and defraud the State of Missouri, take from the vaults of the Treasury of the State of Missouri, the sum of six thousand, four hundred and twenty-one dollars, (\$6,421.00) and deposit the same in the National Exchange Bank of Jefferson City, in the county of Cole and State of Missouri, which said money

was then and there lawful money of the United States, and the property of the State of Missouri, and which said money or property so taken from his custody, as Treasurer as aforesaid, was so deposited in said bank, contrary to the provisions of section thirty-nine of chapter ten of the General Statutes of Missouri, and the provisions of section fifteen of article ten of the Constitution of the State of Missouri, whereby the said Elijah Gates, Treasurer of the State of Missouri, did then and there commit, and was guilty of misconduct and a high misdemeanor in office.

ARTICLE II.

That the said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his office, and of his oath of office, in violation of the Constitution and Laws of the State of Missouri, on the — day of January, in the year of our Lord one thousand eight hundred and seventy-seven, in the county of Cole and State of Missouri, did unlawfully and with intent to cheat and defraud the State of Missouri, and for the purpose of private profit and gain, did take from the vaults of the Treasury of the State of Missouri, and from his custody as such Treasurer, the sum of one hundred and three thousand, three hundred and fifty-five dollars, being lawful money of the United States, and then and there the property of the State of Missouri, and deposit the same in the National Bank of the State of Missouri, in the city of St. Louis, in the State of Missouri, contrary to the provisions of section thirty-nine, chapter ten, of the General Statutes of Missouri, and the provisions of section fifteen of article ten of the Constitution of the State of Missouri, whereby the said Elijah Gates, Treasurer of the State of Missouri, did then and there commit, and was guilty of misconduct and a high misdemeanor in office.

ARTICLE III.

That said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his offices, and of his oath of office, and of the rights of the people of the State of Missouri, in violation of the Constitution and Laws of the State of Missouri, on the — day of January, in the year of our Lord one thousand eight hundred and seventy-seven, in the county of Cole, and State aforesaid, did unlawfully and with intent to cheat and defraud the State of Missouri, and the people thereof, and for the purpose of private profit and personal gain, take from the vaults of the Treasury of the State of Missouri, and from his custody as such Treasurer, the sum of eight hundred and thirty-seven

thousand, one hundred and twenty-seven dollars, the same being lawful money of the United States, and then and there the property of the State of Missouri, and deposit the same in the Bank of St. Joseph, in the city of St. Joseph, in the county of Buchanan, in the State of Missouri, contrary to the provisions of chapter ten of the General Statutes of Missouri, and the provisions of section fifteen of article ten of the Constitution of the State of Missouri, whereby the said Elijah Gates, Treasurer of the State of Missouri, did then and there commit, and was guilty of misconduct and a high misdemeanor in office.

ARTICLE IV.

That the said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his office, and of his oath of office, in violation of the Constitution and Laws of the State of Missouri, on the 29th day of January, in the year of our Lord one thousand eight hundred and seventy-eight, at the City of Kansas, in the State of Missouri, did unlawfully and with the design and intent to cheat and defraud the State of Missouri, and the people thereof, conspire with one James N. Burns, Calvin Burns, John J. Mastin, Thomas H. Mastin and others, to us unknown, to use, manipulate, invest, distribute, handle and speculate on the moneys and funds belonging to the State of Missouri, and which moneys and funds he, the said Treasurer, then and there, without authority of law, and in violation of the high duties of his office, had on deposit, in the Mastin Bank of Kansas City, and in the Bank of St. Joseph, in the State of Missouri, amounting to the sum of five hundred and six thousand dollars, (\$506,000,) by reason of which conspiracy the State of Missouri was injured and cheated and defrauded out of the said sum of five hundred and six thousand dollars, (\$506,000,) and the interest thereon, contrary to, and in violation of, the Constitution and Laws of the State of Missouri, whereby the said Treasurer, Elijah Gates, was then and there guilty of and did commit a high crime and misdemeanor in office.

ARTICLE V.

That the said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his office, and of his oath of office, and regardless of the high trusts reposed in him by the people of the State, and in violation of the Constitution and Laws of the same, on the — day of January, in the year of our Lord one thousand eight hundred and seventy-eight, and on different other days and times, at Jefferson City, in the county of Cole and State of Missouri, with intent to cheat

and defraud the State of Missouri, and the people thereof, and with the design and intent to make personal profit and gain, and to encourage and assist others in making personal profit and gain out of the moneys and funds of the State of Missouri, did then and there take from the Treasury of the State of Missouri, and from his custody as such Treasurer, the sum of three hundred and twenty-five thousand dollars, (\$325,000,) lawful money of the United States, and then and there the property of the State of Missouri, and did place and deposit the same in the Mastin Bank of Kansas City, in the State of Missouri, which said bank was then and there a corporation authorized by law to do business in this State; that said Elijah Gates, Treasurer as aforesaid, well knew, before and at the time of making said deposit as aforesaid, that said bank was insolvent and in failing circumstances, by reason of which deposit the said moneys and funds of the State of Missouri were hazarded and lost, and the State of Missouri and all the people thereof, cheated and defrauded out of their lawful rights, and contrary to the Constitution and Laws of the State of Missouri, whereby the said Elijah Gates, Treasurer of the State of Missouri, was then and there guilty of misconduct, and a high crime and misdemeanor in office.

ARTICLE VI.

That the said Elijah Gates, Treasurer of the State of Missouri, unmindful of the high duties of his office, and of his oath, and in violation of the Constitution and laws of the State of Missouri, on the — day of October, in the year of our Lord one thousand eight hundred and seventy-eight, at Jefferson City, in the county of Cole, in the State of Missouri, with intent to cheat and defraud the State of Missouri, and to make private profit out of moneys belonging to the State, did then and there take from the Treasury of the State of Missouri, and from his custody as Treasurer, the sum of five thousand dollars, and did take and deposit the same with one John W. Reid, of Kansas City, in the State of Missouri, and William Chrisman, of Independence, in the State of Missouri, which said deposit was made to secure the bondsmen on the attachment bond of the said Elijah Gates against any loss which they might incur by reason of an attachment suit which he, the said Elijah Gates, had brought, in his own name (and for his own private benefit), against the Mastin Bank of Kansas City, and others.

That the said Elijah Gates, in making the deposit as aforesaid, fraudulently converted the said sum of five thousand dollars (\$5,000) to his own private use and benefit, by reason of which the State of

Missouri, and all the people thereof, were defrauded and cheated out of the said five thousand dollars, contrary to the Constitution and laws of the State of Missouri, whereby the said Elijah Gates, Treasurer of the State of Missouri, did then and there commit, and was guilty of a high crime and misdemeanor in office.

And the House of Representatives, saving to themselves the liberty of exhibiting, at any time hereafter, any further articles of impeachment against the said Elijah Gates, Treasurer of the State of Missouri, and of replying to any answer which he may make hereto, and of offering proof to the same and every part, and to every article, and other impeachment, which may be exhibited against him, as the case shall require, do demand, that the said Elijah Gates be put to answer the high crimes and misdemeanors herein charged against him, and that such proceedings, examinations and judgments may be had in relation thereto as right and justice may demand; which were read, and, on motion referred to Committee on Judiciary, and 250 copies ordered printed for information of the House.

Mr. Waggener offered the following resolution :

WHEREAS, It is doubtful whether the final decision and disposition of cases now pending in the Supreme Court of the State can be expedited by the mode pointed out in Senate bill now pending before this House ; therefore, be it

Resolved, That a copy of said bill be referred to the honorable judges of the Supreme Court, in connection with this resolution, with the request that they furnish this House, at the earliest practicable day, information on the following points :

1. How many cases are disposed of, annually, by the court as now constituted ?
 2. How many new cases are docketed annually ?
 3. Will the said bill materially aid the court in the disposition of its business ?
 4. With the aid of the commission provided for in said bill, how long will it take the court to dispose of the cases now on docket, and the new cases filed in said court while it is disposing of the present business ?
 5. As constituted at present, how long from the time of filing a case in the Supreme Court till it is finally reached and disposed of ?
- Which was read.

Mr. Campbell of St. Louis city offered the following amendment :

Amend by inserting, which, in the opinion of the Supreme Court, the bill is constitutional ; which was read and agreed to.

The question recurring on the adoption of the resolution, as amended, it was adopted.

Mr. McIntyre moved to reconsider the vote by which House bill No. 186, was ordered engrossed and printed; which was agreed to.

Mr. Collins offered the following resolution:

WHEREAS, The chairman of the Committee on Deaf and Dumb Asylum, substituted as a visiting member of said committee, the Hon. H. J. Brady, in the place of the regular committeeman, who was confined by sickness; therefore, be it

Resolved, That the Hon. H. J. Brady shall receive the traveling expenses in lieu of the regular member of said committee; which was read and not adopted.

Mr. Taylor offered the following resolution:

Resolved, That the sum of \$167.30 be allowed the Special Committee for the examination of the treasury matters, for and in full of expenses of said committee from Jefferson City to Kansas City, St. Joseph and return, while on duty as said committee; which was read and adopted.

Mr. Bonham presented a petition from citizens of Andrew county, relating to stock breeders; which was read and referred to the Committee on Agriculture.

Mr. Collins presented a petition from citizens of Lafayette county, relating to the manufacture and sale of intoxicating drinks; which was read and referred to the Committee on Constitutional Amendments.

Mr. Knight presented a petition from citizens of Harrison county, praying for the passage of certain relief laws for the suffering thousands in that county; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Dougherty presented a petition from citizens of Clay county, in relation to the reduction of salaries of State and county officers; which was read, and, on motion, referred to Committee on Retrenchment and Reform.

Mr. Ellis presented a petition from citizens of Nodaway county, praying that the General Assembly pass a township law; which was read, and, on motion, referred to Committee on Township Organization.

Leave of absence was granted Mr. Rawlings for six days.

Mr. Dougherty presented a petition from citizens of Clay county, relating to stallions, jacks and bulls; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Burrows introduced joint and concurrent resolution, entitled Concurrent resolution submitting to the legal voters of the State of

Missouri an amendment to the State Constitution, in relation to levying, assessing, collecting and paying an income levy for a sinking fund, and to equalize the burdens of taxation; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 290, entitled An act to amend sections 5 and 6 of chapter 113 of the General Statutes of Missouri, being sections 5 and 6 of chapter 93 of Wagner's Missouri Statutes of 1872, entitled marriage and marriage contracts; which was read the first time and laid over.

Mr. Foster introduced bill No. 291, entitled An act supplementary to and amendatory of chapter 139 of the Revised Statutes of 1865, concerning attorneys at law; which was read the first time and laid over.

Mr. Ellis introduced bill No. 295, entitled An act to amend section 1, article 1 of chapter 35 of Wagner's Statutes, page 272, entitled conveyances of real estate; which was read the first time and laid over.

Mr. Cloud introduced bill No. 294, entitled An act to amend sections 7 and 8, article 9 of Wagner's Statutes of 1872; which was read and laid over.

Mr. Wells introduced bill No. 292, entitled An act to amend section 16 of an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced bill No. 293, entitled An act to prescribe the charges on sleeping or palace cars on the railroads in this State; which was read the first time and laid over.

Mr. Berryman introduced bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis by the city, State and schools; which was read the first time and laid over.

Mr. Greer introduced bill No. 297, entitled An act to amend section 14 of an act entitled an act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Pehle introduced bill No. 298, entitled An act to provide for the election of road overseers; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 299, entitled An act to amend sections 8, 9, 10, 11 and 12 of chapter 78 of the General Stat-

utes of Missouri, entitled of the preservation of fish and destruction of wolves; which was read the first time and laid over.

Mr. Miles introduced bill No. 300, entitled An act to amend section 8, chapter 110 of Wagner's Missouri Statutes, entitled practice in civil cases; which was read the first time and laid over.

Mr. McIntyre introduced bill No. 301, entitled An act relating to the duties of county assessors; which was read the first time and laid over.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee of St. Louis Delegation, to whom was referred House bill No. 191, entitled An act to repeal an act entitled an act in relation to the Social Evil Hospital and House of Industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 191, entitled An act to repeal an act entitled an act in relation to the Social Evil Hospital and House of Industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 24, 1874; was taken up and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 11, entitled A petition to Congress for the reduction of salaries, have had the same under consideration, and have instructed me to report the accompanying substitute therefor to the House, with said concurrent resolution, with the recommendation that the substitute do pass; which was read.

House concurrent resolution No. 11, entitled A petition to Congress for the reduction of salaries; was taken up with substitute recommended by the Committee on Federal Relations.

The substitute was read and agreed to, and ordered engrossed and printed.

House bill No. 186, entitled An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up.

Mr. McIntyre offered the following amendment:

Amend by striking out the words April and October after the word in, in the third line of the first section, and to insert in

lieu thereof the words May and November; which was read and adopted.

The bill, as amended, was ordered engrossed and printed.

Mr. Bryan, from the Special Committee appointed by the Speaker to investigate the charges against Henry E. Moore, Doorkeeper, submitted the following report:

MR. SPEAKER: Your committee appointed under a resolution of the House of Representatives to investigate charges against Henry E. Moore, Doorkeeper of the 30th General Assembly, charging him with having received compensation in consideration of giving employment to his subordinates under him, and of his appointments during the last and present session of the said Assembly, beg leave to report that, restricting their investigation into the acts of said Henry E. Moore, as Doorkeeper of the last and present General Assembly, as contemplated by the said resolution, caused to come before them all of the present employes of said Moore, and all employes under him at the last session of said Assembly who could be reached by due process of law, whose testimony was duly taken and is hereto appended and made a part of this report, your Committee are of the opinion that the evidence herewith submitted wholly fails to sustain such charges, or any malfeasance in office whatever, against Mr. Henry E. Moore as Doorkeeper of the House of Representatives, at the last or present session of the General Assembly of Missouri; which was read and adopted.

Mr. Cowan offered the following resolution:

WHEREAS, the Special Committee appointed to investigate the charges against Henry E. Moore, Doorkeeper of the House of Representatives, has concluded its labors and made a report acquitting him of all the charges preferred; therefore,

Resolved, That the House of Representatives fully exonerates Henry E. Moore, Doorkeeper, from the false and malicious accusations circulated to his detriment, and bear testimony to his integrity of character and honesty of purpose.

Resolved, further, That we cannot too harshly condemn the practice of arraigning public officers upon frivolous charges, and endangering their character and reputation at the instigation of irresponsible persons; which was read and adopted.

The special order being the consideration of the report of the Committee on Education, in relation to the number of children entitled to participate in the State school fund, reported from the city of St. Louis; was taken up.

On motion of Mr. Cowan of Holt, the report of the committee was indefinitely postponed.

Leave of absence was granted for three days to the Special Committee to investigate the affairs of the State Treasurer.

The special order for this hour being the consideration of substitute for House bills Nos. 2 and 20, entitled, An act to regulate the rate of interest; was taken up.

Mr. Gwynne offered the following amendment:

Amend section 6 by striking out the words, cause of action accrued, in fifth line, and inserting in lieu thereof the words, payment or settlement of the principal sum for or on account of which such usurious interest was so paid; which was read and adopted.

Mr. Campbell of St. Louis city offered the following amendment:

Strike out the word six, in line two of section 2, and insert the word eight; which was read.

Pending the consideration of which, on motion of Mr. McIntyre, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. The Speaker in the Chair.

The House resumed the consideration of substitute for House bills Nos. 2 and 20, and pending amendment.

The question being upon agreeing to the amendment, the ayes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Arnold, Berryman, Bonham, Booth, Bowman, Brewer, Bryan, Campbell of St. Louis city, Carleton, Carroll, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dougherty, Ellis, Foster, Freed, Greer, Gwynne, Hayes, Hall, Haynes, Harrigan, Harrington, Hubbard, Kendall, Lackland, Mabrey, Mahn, Manistre, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, Organ, Patterson of Schuyler, Pehle, Phelan, Powers, Ragan, Settles, Smith of St. Louis city, Swank, Tevis, Vancleve, Waggener and Wells—55.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Berry, Bohannon, Boulware, Brady, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Dade, Dale, Dryden, Ewing, Farr, Finks, Gray, Ham, Hammons, Harrison, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Miles, Morrison, McElvain, McIntyre, McKill, McKinney, O'Malley, Patterson of Linn, Pepper, Powell, Price, Rawlings, Riley,

Souder, Smith of Cedar, Spring, Talbot, Turner, Warren, Weygandt, Whitaker, Wisby, Withers and Mr. Speaker—67.

ABSENT—Messrs. Burford, Chilton, Dodson, Hale, Maynard, Mudd of St. Louis, Palmer, Pollard and Reynolds—9.

ABSENT WITH LEAVE—Messrs. Beckner, Brown, Drum, Mott, Saunders, Taylor, Tiernan, Windes, Wiley and Younger—10.

SICK—Mr. Pollock—1.

Mr. Burford offered the following amendment :

Amend by adding after section 6 :

SEC. 7. And it shall not be lawful for any person or persons to discount any note, account or other evidence of indebtedness of any other person or persons at a greater rate of discount than six per cent. per annum, excepting persons buying their own or the indebtedness of assignors, and in cases of insolvency.

SEC. 8. Nothing in this act shall prevent any person or persons from investing in the bonds, stock or other evidences of indebtedness of corporate bodies at a greater rate of discount than six per cent.

SEC. 9. Any violation of this act regarding discounts shall work a forfeiture of the amount so discounted, the same as a forfeiture of the entire interest when usurious interest has been charged, and may be collected in the same way, subject to the same limitations.

Make section seven read section ten, and make section eight read section eleven ; which was read and not agreed to.

Mr. Lockhart offered the following amendment :

Amend by striking out in the first line of section one the word six and inserting the word five, also in the second line of the second section strike out the word six and insert the word eight ; which was read and not agreed to.

The question recurring upon agreeing to the substitute as amended ; it was agreed to.

The question being upon the engrossment and printing of the bill, the House ordered it engrossed and printed.

The special order for this hour being House bill No. 237, entitled An act requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks ; was taken up.

The question being upon the engrossment and printing of the bill, the House refused to order it engrossed and printed.

Mr. Brady introduced bill No. 302, entitled An act to regulate the rates of fare to be charged by street railroad companies ; which was read the first time and laid over.

Mr. Settles introduced bill No. 303, entitled An act to amend section twenty of an act entitled an act in relation to roads and highways, providing for establishing, opening and repairing and vacating

the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27th, 1877, by adding an additional proviso thereto; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced bill No. 304, entitled An act to provide for the appointment of a bank commissioner, and to prescribe his powers and duties; which was read the first time and laid over.

Leave of absence was granted Mr. Younger for seven days.

Leave of absence was granted to Mr. Ham for ten days.

House bill No. 30, entitled An act to amend section forty-eight of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Riley, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby, Withers and Mr. Speaker.—120.

ABSENT—Messrs. Chilton, Dodson, Dryden, Hale, Ingram, Maynard, Mudd of St. Louis, Palmer, Pollard, Rawlings and Reynolds—11.

ABSENT WITH LEAVE—Messrs. Beckner, Brown, Drum, Mott, Saunders, Taylor, Tiernan, Wiley, Windes and Younger—10.

SICK—Mr. Pollock—1.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Powers introduced bill No. 305, entitled An act to provide for the transferring unexpended balances in county treasuries; which was read the first time and laid over.

Mr. Cox offered the following resolution:

Resolved, That the committee appointed to accompany the remains of the Hon. J. S. Long to Dunklin county, be allowed the actual expense incurred by the members of said committee, amounting to \$118.95, and that Stampfli and Karges be allowed the sum of \$70.63 for casket and funeral expenses, to be paid out of the contingent fund of this House; which was read and adopted.

House bill No. 277, entitled An act to amend section 3 of chapter 174 of the General Statutes of 1865, being section 3 of chapter 3 of Wagner's Statutes, relating to advertisements, publications of judicial notices and other matters; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 278, entitled An act to amend an act entitled an act for the classification of cities and towns, approved April 1, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false, fraudulent representations, statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments coins and metals; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 280, entitled An act in relation to fire insurance; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 281, entitled An act to amend article 3, chapter 76, of Wagner's Statutes, entitled insurance other than life, approved March 10, 1869; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 282, entitled An act to amend section 118 of chapter 118 of Wagner's Statutes, by adding after the word taxes, and before the word provided, in the seventh line of the section, the following: except household property to the value of not exceeding two hundred dollars, which shall be exempt from such seizure and sale; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 283, entitled An act to amend section 4 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all

acts and parts of acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 284, entitled An act to require the publication of county court proceedings, and settlements with county collectors and treasurers; was called up, read the second time, and, on motion, referred to the Committee on Printing.

House bill No. 285, entitled An act to amend an act entitled an act to amend chapter 63 of the General Statutes, entitled of railroad companies, so as to authorize the consolidation, extension and leasing of railroads, approved March 24, 1870; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 286, entitled An act to amend section 34 of an act entitled An act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter eighty-three of the General Statutes, approved April 14, 1877; was called up, read the second time, and, on motion, referred to Committee on Justices of the Peace.

House bill No. 287, entitled An act to amend section 2 of chapter 113 of the General Statutes of the State of Missouri, entitled of marriage and marriage contracts, the same being chapter 93, section 2 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 288, entitled An act concerning the collection of road taxes; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 289, entitled An act to regulate the scale of fees to be collected by county clerks, circuit clerks and recorder of deeds in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

Senate bill No. 61, entitled An act to revise chapter 175 of title 37 of the General Statutes, concerning oaths and affirmations; which was read the first time and laid over.

Senate bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 44, entitled An act to promote the science of medicine and surgery; was called up, read the second time and referred to the Committee on Benevolent and Scientific Institutions.

The Speaker laid before the House the following communication from the State Auditor :

AUDITOR'S OFFICE,
CITY OF JEFFERSON, February 7, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives :

SIR:—In compliance with the resolution of your honorable body, requesting me to furnish an itemized estimate of the general contingent fund for 1879 and 1880, I have to say: The demands on this appropriation cannot be definitely anticipated, but the following is as near as can be given:

Gas for State departments.....	\$500 00
Fuel for State departments.....	600 00
Commissioner's janitor at \$30 per month...	720 00
Night watchman at \$50 per month.....	1,200 00
Expressage and postage.....	50 00
Miscellaneous.....	930 00
Total.....	\$4,000 00

The item of "miscellaneous" covers many things that cannot be estimated. Reference to page 120 of Auditor's report will give information on which to base conclusions.

The amount appropriated for the years 1877 and 1878 was \$6,000, which was not sufficient, because the pay of the janitors of the several departments came out of the general contingent fund. If the janitors are to be paid out of it for the years 1879 and 1880, it will be necessary, in addition to the above, to add \$1,800, making a total of \$5,800. In my estimates of contingencies at page 7 of my report, I put this fund at \$4,000. In making up the estimates of contingent expenses of the several State departments, the pay for janitors was included, which increased them as compared with the amounts paid in 1877 and 1878. In my opinion the janitors should be paid out of the contingent expenses of the several departments, and if that is done such appropriations should be increased accordingly, and the general contingent fund decreased from the amount appropriated by the last General Assembly. I have the honor to be,

Respectfully,

THOS. HOLLADAY,

State Auditor.

Which was read.

Mr. Foster, from the Committee on St. Louis Delegation, submitted the following report :

MR. SPEAKER: Your Committee of the St. Louis Delegation, to whom was referred House concurrent resolution No. 15, submitting

to the qualified voters of the State of Missouri an amendment to the Constitution of said State, regulating the jurisdiction of the St. Louis Court of Appeals, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Constitutional Amendments; which was read.

House concurrent resolution No. 15, entitled Concurrent resolution in relation to submitting to the qualified voters of the State of Missouri an amendment to the Constitution of said State, regulating the jurisdiction of the St. Louis Court of Appeals; was taken up, and, on motion, referred to the Committee on Constitutional Amendments.

On motion of Mr. Wells, the House adjourned until Monday morning at 9½ o'clock.

TWENTY-SIXTH DAY.—MONDAY, February 10, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of Friday was being read, when,

On motion of Mr. Patterson of Linn, the further reading was dispensed with.

Leave of absence was granted Mr. Talbot for seven days.

Leave of absence was granted Mr. Lackland for seven days.

Leave of absence was granted Mr. Larimore for one day.

Leave of absence was granted Mr. Bashaw for four days.

Leave of absence was granted Mr. Mabrey for ten days.

Leave of absence was granted Mr. Lesueur for one day.

Leave of absence was granted Mr. Cock for three days.

Mr. Campbell of St. Louis city offered the following resolution:

Resolved, That the Committee on Engrossed Bills be authorized to rent a room for the use of said committee; which was read and adopted.

Mr. Ragan offered the following resolution:

WHEREAS, The season for foreign and domestic emigration to the United States and the Great West will commence with the opening of spring; and,

WHEREAS, We believe that our State offers as many, and more, inducements to said emigration, both in climate and soil, as well as cheap land; and,

WHEREAS, We believe it is the duty of the present Legislature to make some appropriation of money for the purpose of aiding in inducing said emigration in coming to our State; therefore, be it

Resolved, That the Speaker appoint five members of the House, from various portions of the State, to report upon some plan to further carry out the the object of this resolution; which was read and adopted.

Mr. Pollock offered the following resolution :

Resolved, That the Committee on Justices of the Peace and Constables be authorized to employ a clerk; which was read and adopted.

Mr. Bonham presented a petition from citizens of Andrew county, praying that the General Assembly pass a law to prevent hogs from running at large in Andrew county; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Crowther presented a petition from citizens of St. Joseph, in relation to the passage of a law prohibiting the licensing of gambling or gaming houses, bawdy houses or houses of ill-fame or assignation, under any pretense whatever; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Cowan of Holt presented a petition from the citizens of Holt county, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McElvain presented petitions from citizens of Worth county, relating to the manufacture and sale of intoxicating drinks; which were read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Campbell of St. Louis city presented a petition from the citizens of Jasper county, in relation to transferring the sessions of the Supreme Court to St. Louis; which was read, and, on motion, referred to the Committee on Constitutional Amenements.

Mr. McDaniel introduced a joint and concurrent resolution, entitled Joint and concurrent resolution submitting to the legal voters of the State of Missouri, amendment to the State Constitution, in relation to reducing the representation in the two branches of the State Legislature, and providing for districting the State for that purpose; which was read the first and second times, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Manistre introduced concurrent resolution, entitled Concurrent resolution proposing amendments to article 4 of the Constitution

of Missouri, concerning representation and apportionments; which was read the first and second times, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Davis introduced bill No. 308, entitled An act to provide for the levy of a poll-tax; which which was read the first time and laid over.

Mr. McDaniel introduced bill No. 311, entitled An act in relation to the assessment and collection of the revenue, and to provide a more equitable plan of taxation; which was read the first time and laid over.

Mr. Settles introduced bill No. 310, entitled An act to provide for the collection of the revenue of cities having a population of less than twenty thousand persons, and incorporated towns, in the State of Missouri, and repealing sections 177, 178, 179 and 180 of an act entitled an act for the assessment and collection of the revenue, approved March 30, 1872, and all other acts and parts of acts inconsistent with the provisions of this act; which was read the first time and laid over.

Mr. Hall introduced bill No. 312, entitled An act to amend section 21 of chapter 9 of Wagner's Missouri Statutes, relating to voluntary assignments; which was read the first time and laid over.

Mr. Bowman introduced bill No. 307, entitled An act to amend section 6 of chapter 206 of the General Statutes of Missouri, being section 6 of article 3 of chapter 42 of Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest; which was read the first time laid over.

Mr. Riley introduced bill No. 306, entitled An act concerning strays; which was read the first time and laid over.

Mr. Carroll introduced bill No. 309, entitled An act regulating pawn-brokers; which was read the first time and laid over.

Mr. Warren introduced bill No. 320, entitled An act to pay George W. Gordon for property lost while being used by the State; which was read the first time and laid over.

Mr. Bonham introduced bill No. 318, entitled An act to impose a license tax on the owners and keepers of jacks and stallions, and to create a lien in their favor; which was read the first time and laid over.

Mr. Wells introduced bill No. 316, entitled An act for the relief of L. C. Lohman; which was read the first time and laid over.

Mr. Tevis introduced bill No. 315, entitled An act to repeal an act entitled an act to establish a criminal court in the sixth judicial circuit and the county of Johnson, approved March 18, 1875; and to abolish the court established by said act, and to provide for the dis-

position of the books, records and papers of said court, and the causes therein pending; which was read the first time and laid over.

Mr. Patterson of Schuyler, introduced bill No. 314, entitled An act to amend section 5 of an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15, 1877; which was read the first time and laid over.

Mr. Arnold introduced bill No. 313, entitled An act to authorize county courts to submit to the voters of their respective counties propositions to increase the annual rates of taxation for erecting public buildings; which was read the first time and laid over,

Mr. Arnold introduced bill No. 319, entitled An act for the relief of Hezekiah Lindsey; which was read the first time and laid over.

Mr. Ragan introduced bill No. 317, entitled An act to amend chapter 113 of the General Statutes of the State of Missouri, entitled of marriage and marriage contracts, by striking out sections 4, 5, 6, 7, 8, 9, 10 and 11 of said chapter, and inserting certain new sections in lieu thereof, to be numbered respectively, sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; which was read the first time and laid over.

Mr. Burrows introduced bill No. 321, entitled An act to amend an act entitled an act to amend section 55 chapter 152 of the General Statutes of Missouri, relating to partition by repealing the allowance of all fees of any attorney or attorneys bringing suit for partition or defending the same; which was read the first time and laid over,

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled An act to enable counties, cities and towns and townships to fund their bonded indebtedness, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Banks and Corporations; which was read.

Senate bill No. 4, entitled An act to enable counties, cities, towns and townships to fund their bonded indebtedness; was taken up, and, on motion, referred to the Committee on Banks and Corporations.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report;

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company, any taxes hereafter paid on Pullman palace cars hired or leased from said company, under the railroad assessment and collection laws of the State,

beg leave to report that they have considered the same, and recommend that with the amendments herewith submitted it do pass; which was read.

Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman palace cars, hired or leased from said company under the railroad assessment and collection laws of the State; was taken up, with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend by striking out section 1, and inserting in lieu thereof the following section:

SECTION 1—All railroad companies in the State which shall hereafter pay any taxes on any sleeping, palace, passenger or other cars, hired, leased, run or used on the roads of said companies in this State, shall have a right of action against the company or persons owning such cars, for the taxes so paid, with interest thereon from date of payment, and may sue and recover the same in any court of competent jurisdiction; which was read and agreed to.

Amendment No. 2—Amend by striking out the preamble in the bill; which was read and agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 42, entitled An act to amend section 53 of chapter 165 of the General Statutes of Missouri, being also section 53 of article 5 of chapter 110 of Wagner's Missouri Statutes, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Senate bill No. 42, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri, being also section 53 of article 5 of chapter 110 of Wagner's Missouri Statutes, entitled practice in civil cases; was taken up, and, on motion of Mr. Dade, the further consideration was postponed until February 19, and the bill was ordered printed for information.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 264, entitled An act for the protection of California quail, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 264, entitled An act for the protection of California quail; was taken up and ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 279, entitled An act to punish cheats, tricks, deceptions, false and fraudulent representations, statements, false pretences, confidence games, and using and passing false and bogus checks, instruments, coins and metals, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretences, confidence games, and using and passing false and bogus checks, instruments, coins and metals; was taken up and ordered engrossed and printed.

Mr. Kneisley, from the Committee on State University, submitted the following report :

MR. SPEAKER: Your Committee on University, to whom was referred House bill No. 275, entitled An act entitled an act to repeal an act entitled an act to restrain the sale of intoxicating liquors in the vicinity of the State University of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 275, entitled an act entitled an act to repeal an act entitled an act to restrain the sale of intoxicating liquors in the vicinity of the State University of the State of Missouri; was called up.

The question being, "shall the bill be engrossed and printed?"

The ayes and noes being demanded, the bill was not ordered to engrossment and printing by the following vote:

AYES—Messrs. Booth, Cooper, Cox, Davis, Dawson, Hayes, Hubbard, Kendall, Kniesley, McCormick of St. Louis city, McDaniel, McIntyre and Price—13.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bal-
lew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer,
Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis
city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins,
Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther,
Dade, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks,
Foster, Freed, Gray, Greer, Gwynne, Hale, Hall, Hammons, Haynes,
Harrigan, Harrington, Harrison, Hynes, Johnson, Knight, Lockhart,
Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison,
Mudd of Lincoln, McCormick of Washington, McElvain, McGarry,
McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of

Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Ragan, Riley, Settles, Souder, Smith of Cedar, Spring, Swank, Tevis, Tiernan, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby, Withers and Mr. Speaker—96.

ABSENT—Messrs. Berryman, Brady, Chilton, Dale, Ingram, Mudd of St. Louis, O'Malley, Reynolds, Smith of St. Louis city and Turner—10.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Craig, Drum, Ham, Lackland, Larimore, Lesueur, Mabrey, Mott, Pepper, Rawlings, Saunders, Talbot, Taylor, Vancleve, Wiley, Windes and Younger—20.

SICK—Messrs. Dodson, Louthan and Pollock—3.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the House refused to order the bill to engrossment and printing, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 68, entitled An act to revise and amend title 20, chapter 55 of the General Statutes of the State of Missouri, concerning ferries;

Also Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877;

Also Senate bill No. 116, entitled An act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877;

Also Senate joint and concurrent resolution No. 8, entitled Joint and concurrent resolution in reference to the copyright of the report of the decisions of the Supreme Court of the United States, in which the concurrence of the House is respectfully requested; which was read.

Leave of absence was granted Mr. Craig for two days.

Leave of absence was granted Mr. Pepper for three days.

On motion of Mr. Cox, the House took a recess until 2½ o'clock.

H. J.—19.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order by the Speaker.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 89, entitled An act to amend chapter 70 of the General Statutes of Missouri, being article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of new sections thereto as sections 14 and 15, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 83, entitled An act to amend an act entitled an act to promote the science of medicine and surgery, approved March 28, 1874, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 179, entitled An act to regulate the building of barbed wire fence, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bills Nos. 14, 35 and 41, entitled An act to amend sections 23 and 24 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 211, entitled An act to amend section 1 of an act fixing the salary of the clerk of the Supreme Court, and repeal-

ing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 103, entitled An act to amend section 18 of chapter 189, General Statutes, the same being section 18 of chapter 85, Wagner's Statutes, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business other than life assurance business, approved March 10, 1869, the same being section 44 of article 3 of chapter 76 of Wagner's Missouri Statutes, entitled insurance other than life, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 60, entitled An act regulating the fees of wit-

nesses, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts and ex-officio recorder, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred House bill No. 99, entitled An act to amend section seven of chapter 96 of the General Statutes, being section seven of chapter 106 of Wagner's Statutes, entitled pedlers' licenses, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new sections to same chapter, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new sections to said chapter; was taken up.

Mr. Gwynne offered the following amendment:

No. 1. Amend section 2 by adding after the word lies in the last line thereof the following:

And if such deed of trust shall have been recorded, a copy of such consent shall be filed with the Recorder of Deeds, before any sale shall be made under the provision of the act, and a memorandum of same and of the filing thereof, shall be indorsed upon the margin of such record by said Recorder; which was read and agreed to.

Mr. Gwynne offered the following amendment:

No. 2. Amend by striking out section 7 and inserting in lieu thereof the following:

SEC. 7. Each of said appraisers who shall be appointed under and pursuant to the provisions of the foregoing sections shall receive as full compensation for the service thereby required the sum of one dollar for each and every day that he shall be actually employed in making said appraisement, and in making return thereof as required by law; such compensation shall be charged against the execution debtor, and taxes in favor of the party entitled thereto as other costs are, or may be required to be taxed in civil causes; which was read and agreed to.

Mr. Gwynne offered the following amendment:

No. 3. Amend by adding the following new section, to be known as sections eight (8) and nine (9).

SEC. 8. The provisions of this act shall not be applicable to, or so construed as to affect, alter or change any contract heretofore made, or any existing right whatever.

SEC. 9. Owing to the existing stringency of monetary matters, the distressed condition of the people in consequence thereof, and the manifold hardships wrought by the law as it now is, creates an emergency within the meaning of the Constitution, and, therefore, this act shall be in force and take effect from and after its passage; which was read and agreed to.

On motion of Mr. Hayes the bill, as amended, was ordered printed for information.

Mr. Campbell offered the following resolution, amending the joint rules of the two Houses:

Resolved, That the joint rules for the government of both Houses be amended by adding a new section, as follows:

SEC. 16. Whenever either House shall order a bill to be engrossed and printed, as required by section 29, article 4 of the Constitution, said House shall order enough printed to supply at least one copy thereof to each member of both Houses; and when a bill shall have been passed by the House in which it originated, it shall cause a sufficient number of the printed copies of said bill to be sent to the other House, at the time the clerk or secretary reports the passage of said bill, the said printed copies to be at once laid upon the desks of members of the House to which the report is made. It shall be the duty of the Secretary of the Senate and the Clerk of the House to see that the last paragraph of this rule is complied with; which was read and adopted.

Mr. Ragan, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred House bill No. 232, entitled An act to repeal an act entitled

an act to authorize and describe the method of formation of school districts in the counties of Franklin and Webster, approved March 27, 1874, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 232, entitled An act to repeal an act entitled an act to authorize and describe the method of formation of school districts in the counties of Franklin and Webster, approved March 27, 1874; was taken up and ordered engrossed and printed.

House bill No. 290, entitled An act to amend sections 5 and 6 of chapter 113 of the General Statutes of Missouri, being sections 5 and 6 of chapter 93 of Wagner's Missouri Statutes of 1872, entitled marriage and marriage contracts; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 291, entitled An act supplementary to and amendatory of chapter 139 of the Revised Statutes of 1865, concerning attorneys at law; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 292, entitled An act to amend section 16 of an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House Bill No. 293, entitled An act to prescribe the charges on sleeping or palace cars on railroads in this State; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 294, entitled An act to amend sections 7 and 8 of article 9, Wagner's Statutes of 1872; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 295, entitled An act to amend section 1 of article 1 of chapter 35, Wagner's Statutes, entitled conveyances of real estate; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis, by the city, State and schools; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 297, entitled An act to amend section 14 of an act entitled an act to amend an act entitled an act dividing the State

into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 298, entitled An act to provide for the election of road overseers; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 299, entitled An act to amend sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri, entitled of the preservation of fish and destruction of wolves; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 300, entitled An act to amend section 8 of chapter 110 of Wagner's Missouri Statutes, entitled practice in civil cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 301, entitled An act relating to the duties of county assessors; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 302, entitled An act to regulate rates of fare to be charged by street car companies; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 203, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by adding an additional proviso thereto; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 304, entitled An act to provide for the appointment of a bank commissioner, and to prescribe his powers and duties; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 305, entitled An act to provide for the transferring of unexpended balances in county treasuries; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House concurrent resolution No. 22, submitting to the legal voters of the State of Missouri an amendment to the State Constitution, in relation to levying, assessing, collecting and paying an income levy for a sinking fund, and to equalize the burdens of taxation; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

On motion of Mr. Settles, the House adjourned until to-morrow morning at 9½ o'clock.

TWENTY-SEVENTH DAY—TUESDAY, February 11, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Riley, the further reading was dispensed with.

Mr. Bryan offered the following resolution :

Resolved, That from this date this House will hold afternoon sessions at 2½ o'clock, on Tuesdays and Fridays of each week, and at these sessions the first order of business shall be the consideration of House bills on their third reading, which order of business shall not be suspended except by a two-thirds vote ; which was read and adopted.

Mr. Collins offered the following resolution :

Resolved, That the committee of inquiry into the county and township indebtedness to railroad corporations in the State be allowed a clerk, who shall receive the same pay as other committee clerks ; which was read.

Mr. Anderson offered the following amendment :

That the clerk of the Committee on Justices of the Peace is hereby required to perform the duties of clerk for the Committee on Railroads and Township Indebtedness ; which was read and adopted.

Mr. Warren offered the following resolution :

Resolved, That the carpenter employed by the Commissioner on Permanent Seat of Government be paid two dollars and fifty cents per day while so employed ; which was read and not adopted.

Mr. Smith of Cedar offered the following resolution :

Resolved, That the Doorkeeper be instructed to at once pad or otherwise fix the door to this hall, so that the shutting of the same will not make so much noise ; which was read and adopted.

Mr. Miles offered the following resolution :

Resolved, That as the sense of this House, no money should be appropriated by the General Assembly for the support and maintenance of the State University at Columbia, unless satisfactory assurances are first given by the faculty thereof that the sale or gift of intoxicating liquors to any student, under any pretext, by a druggist,

saloon keeper, or other persons, except it is done by order of a member of the faculty, for medical purposes only, and the further pledge of the faculty that any student attending thereat who may violate the rules of the institution by becoming intoxicated, while attending its sessions, shall be promptly expelled for that offense; which was read, and, on motion, laid on the table.

Mr. Foster presented a petition from citizens of St. Louis regarding the organization of the board of president and directors of St. Louis public schools, and the proper disposition of the principle of the school fund of the city of St. Louis; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Chilton presented a petition from citizens of Pettis county in relation to submitting to the voters of the State a proposition to amend the constitution of the State so as to prohibit the manufacture of intoxicating drinks within this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Crowther presented a petition from F. M. Mahon, inventor of harbor ice cutter and sand bar dredger, praying the General Assembly to memorialize Congress to make an appropriation of one hundred thousand dollars in relation to the removing of sand bars in the Mississippi and Missouri rivers; which was read, and, on motion, referred to the Committee on Federal Relations.

Mr. Patterson of Linn presented a petition from citizens of Linn county, praying for the passage of a township law; which was read, and, on motion, referred to the Committee on Township Organization.

The Speaker appointed the following as special committee to devise means for inducing a larger increase of immigration to the State:

Messrs. Ragan, Cowan of Holt, Mudd of St. Louis, Freed and Cox.

The House having omitted to act upon the emergency clause of House bill No. 45 at the time of the passage of the bill on the 3rd inst., the bill was recalled from the Senate, and the emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McEl-

vain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—112.

NOES—Messrs. Booth, Campbell of St. Louis city, Carroll and Pollard—4.

ABSENT—Messrs. Anderson, Boulware, Brady, Chilton, Cowan of Christian, Diercks, Dilley, Dryden, Knight, Mudd of Lincoln, McDaniel and Wisby—12.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Messrs. Dale and Dodson—2.

Mr. Burrow moved to reconsider the vote by which the emergency clause was adopted, and to lay his motion to reconsider on the table; which was agreed to.

The Speaker laid before the House the following communication from the judges of the Supreme Court:

HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR:—The resolution of inquiry, adopted by the body over which you preside, propounding certain interrogatories to "the judges of the Supreme Court," is before us, and, in answer to the first interrogatory, we would state, that we have had the clerk of the court carefully to examine the records and dockets of the court, so far as necessary to enable us to answer the interrogatory, and he reports that from October, 1876, to the close of the April term, 1879, the court disposed of 918 cases, an average of 419 annually.

With regard to the second interrogatory, we answer, that 442 cases were appealed to the April and October terms, 1877, and 406 cases to the April and October terms, 1878.

For answer to the third interrogatory, we give it as our opinion, that the passage of the bill providing for the appointment of a commission will very materially aid the court in the disposition of the causes now pending.

The fourth interrogatory we cannot answer definitely:

"How long it will take the court to dispose of the cases now on docket, and the cases filed in said court, while it is disposing of the present cases," depends upon the number and character of the cases that may be appealed while we are disposing of those now pending. As we are not gaining materially on the docket, we presume that if

there is no decrease in litigation in the future, it will be many years before, if ever, if we get up with the docket.

For answer to the fifth interrogatory, our opinion is that a cause appealed, if it takes its regular course, will not be heard within two and a-half years.

The last interrogatory is in relation to the constitutionality of the bill now before the House, providing for a commission. We have no doubt as to its constitutionality. It does not propose to establish a court or to confer any judicial power upon the commission. It compels no party to a cause appealed to the court, to submit it to the commission, either to be heard or decided by the commission. The commission can neither make an order, render a judgment, nor promulge an opinion in any cause which may be referred to it, under the provisions of this bill.

Very respectfully,

T. A. SHERWOOD,
W. B. NAPTON,
WARWICK HOUGH,
JNO. W. HENRY,
E. H. NORTON.

Which was read.

Mr. Collins introduced a concurrent resolution, entitled Concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their utmost exertions to secure the passage of a law that will make the sulphate of quinine duty free; which was read the first time, and, on motion, laid over until Monday, February 17.

Mr. Dade introduced a concurrent resolution, entitled Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the State Constitution, in relation to dividing the Supreme Court into departments, and fixing the duties and powers of each of such departments, and providing for the election of a clerk of the Supreme Court; which was read the first and second times, and, on motion, referred to the Committee on Constitutional Amendments.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 121, entitled An act to amend section 48 of chapter 121 of the General Statutes of the State of Missouri, concerning executors and administrators.

Also, Senate bill No. 122, entitled An act to amend section 21 of chapter 110, article XII. of new trials, arrest of judgment, appeals and clerk's duties, Wagner's Statutes of Missouri, 1872, the same being section 21, chapter 172 of General Stat-

utes of Missouri, 1865, requiring circuit clerks to docket all civil causes for trial and return cause first in preference to criminal cases, in which the concurrence of the House is respectfully requested.¹

Also that Senators Wilson, Parrish and Burkeholder have been appointed on the part of the Senate as joint committee on revision under joint and concurrent resolution in relation to the revision of the laws of the State of Missouri; which was read.

The special order being the consideration of Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said Court; was taken up.

Mr. Bonham offered the following amendment:

Amend section 3 by striking out the words forty-five hundred in the 4th line of the printed bill and insert in lieu thereof the words three thousand; which was read.

Pending the consideration of the amendment the House, on motion of Mr. Farr, took a recess until 2:30 o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The Speaker called the House to order.

The House resumed the consideration of Mr. Bonham's amendment to Senate bill No. 21, entitled An act to create a commission to assist the Supreme Court in disposing of causes now pending in said Court.

The question recurring upon agreeing to the amendment it was not agreed to.

The question recurring upon the passage of the bill, it was read the third time and failed to pass by the following vote:

AYES—Messrs. Anderson, Campbell of St. Louis city, Carroll, Cowan of Holt, Cox, Crowther, Davis, Dilley, Dougherty, Farr, Finks, Foster, Haynes, Harrigan, Maynard, McDaniel, McGarry, O'Malley, Saunders, Settles, Taylor, Vancleve, Waggener, Wisby and Mr. Speaker—25.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cock, Cooper, Cowan of Christian, Craig, Creager, Crow, Dade, Dale, Dawson, Diercks, Drum, Dryden, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Harrington, Harrison, Hub-

bard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd, of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker, Wiley and Withers—103.

ABSENT—Mr. Brady—1.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Mr. Dodson—1.

Mr. Dade moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Dryden, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, O'Mally, Organ, Palmer, Patterson of Linn, Pehle, Phelan, Pollock, Pollard, Powell, Price, Ragan, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley, Wisby and Withers—95.

NOES—Messrs. Anderson, Ballew, Booth, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chilton, Collins, Cook, Cowan of Holt, Dade, Dilley, Ellis, Ewing, Ingram, Lynn, Mackey, Manistre, Maynard, McDaniel, McElvain, McKill, McKinney, Patterson of Schuyler, Settles and Wells—26.

ABSENT—Messrs. Brady, Finks, Hammons, Powers, Smith of St. Louis city, Spring, Tiernan and Mr. Speaker—8.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Mr. Dodson—1.

The title of the bill was read and agreed to.

Mr. Arnold moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 7, entitled An act to amend section 7 of chapter 98 of the General Statutes of Missouri, relating to dramshop-keepers; was taken up, read the third time, and passed by the following vote

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Dade, Dale, Davis, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Maynard, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Turner, Warren, Wells, Weygant, Whitaker, Wiley and Withers—93.

NOES—Messrs. Bowman, Burford, Campbell of St. Louis city, Chenoweth, Cooper, Cox, Craig, Crowther, Dawson, Diercks, Drum, Freed, Hale, Harrigan, Louthan, Manistre, Miles, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, Palmer, Pehle, Phelan, Powell, Saunders and Wisby—28.

ABSENT—Messrs. Brady, Finks, Pollock, Pollard, Tiernan, Vancleve, Waggener and Mr. Speaker—8.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Mr. Dodson—1.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts and ex-officio recorders; was taken up.

Mr. Gwynne moved to reconsider the vote by which the bill was ordered engrossed and printed; which was agreed to.

Mr. Gwynne moved that the bill be recommitted to the Committee on Retrenchment and Reform; which was agreed to.

House bill No. 16, entitled An act to provide a jury system in cities having over 100,000 inhabitants; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Wisby and Withers—112.

NOES—Messrs. Cooper, Craig, Dale and McKinney—4.

ABSENT—Messrs. Booth, Brady, Dougherty, Drum, Johnson, Morrison, Pollock, Powell, Riley, Tevis, Tiernan, Whitaker and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Mr. Dodson—1.

The question being upon the adoption of the emergency clause of the bill, it was adopted by the following vote:

AYES—Messrs. Adams, Aldridge, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey,

Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby and Withers—116.

NOES—Messrs. Bowman, Cooper, Craig and McKinney—4.

ABSENT—Messrs. Arnold, Brady, Dilley, Johnson, Mudd of St. Louis, Pollock, Tevis, Tiernan and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Bashaw, Brown, Cock, Ham, Lackland, Mabrey, McIntyre, Pepper, Rawlings, Talbot, Windes and Younger—12.

SICK—Mr. Dodson—1.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel introduced a joint and concurrent resolution entitled Joint and concurrent resolution providing for the pay of the clerical force and other necessary expenses of the Joint Committee on Revision appointed under House joint and concurrent resolution No. 14; which was read the first time and laid over.

Mr. Wisby introduced bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter to be called section 15; which was read the first time and laid over.

Mr. Wells introduced bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto, relating to juries; which was read the first time and laid over.

Mr. Riley offered the following resolution :

Resolved, That the itemized accounts of Lunatic Asylum No. 2, accompanying the report of that institution be referred to the Committee on Ways and Means; which was read and adopted.

Mr. Hammons introduced bill No. 333, entitled An act to encourage immigration; which was read the first time and laid over.

Mr. Cook introduced bill No. 338, entitled An act to amend section 36 of an act entitled an act to divide the State into judicial circuits, prescribing the times of holding courts therein, and repealing

all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Anderson introduced bill No. 337, entitled An act to amend section 51, article 5 of Wagner's Missouri Statutes, entitled of pleadings and the rules of pleadings, the same being section 45, chapter 169 of the General Statutes; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partitions more accurate and complete, approved February 25, 1863; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors, and of witnesses in St. Louis county, approved March 5, 1855; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailor of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof in St. Louis county, approved February 27, 1866; which was read the first time and laid over.

Mr. Booth introduced bill No. 336, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri; which was read the first time and laid over.

Mr. Larimore introduced bill No. 334, entitled An act in relation to the assessment of notes, bonds, bills or written evidences of

debts, and the equalization of taxation ; which was read the first time and laid over.

Mr. Smith of St. Louis city introduced bill No. 335, entitled An act classifying property for the purpose of taxation ; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bills Nos. 52 and 147, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Mr. Moler introduced bill No. 331, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877 ; which was read the first time and laid over.

Mr. Davis introduced bill No. 330, entitled An act in relation to sueing married women ; which was read the first time and laid over.

Mr. Adams introduced bill No. 332, entitled An act to amend section 7 of an act entitled an act to provide for the collection of delinquent taxes and taxes on real estate forfeited to the State, approved April 12, 1877 ; which was read the first time and laid over.

On motion of Mr. Dale, the House adjourned until to-morrow morning at 9½ o'clock.

TWENTY-EIGHTH DAY—WEDNESDAY, February 12, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by Rev. Mr. Horn.

The journal of yesterday was being read, when,

On motion of Mr. Cloud, the further reading was dispensed with.

Mr. Wiley presented a petition from the citizens of Randolph county, relating to the consolidation and abolishing of certain county and State officials, and institutions of learning ; which was read, and, on motion, referred to the Committee on Retrenchment and Reform.

Mr. Bryan offered the following resolution :

Resolved, That the Committee on Accounts be and they are hereby authorized to allow and pay out of the contingent fund of this House, the sum of forty-one dollars, being the amount of expense incurred by the Special Committee of the House, appointed to investigate the charges against the doorkeeper; which was read and adopted.

Mr. Drum offered the following resolution :

Resolved, That the Doorkeeper of this House be and is hereby authorized to employ a janitor to attend to the rooms of the Judiciary and Ways and Means Committees, at a compensation of two dollars and fifty cents per day, and that said janitor shall be entitled to his pay from the 21st day of January, 1879, inclusive; which was read, and, on motion, referred to the Committee on Accounts.

Mr. Berry introduced a concurrent resolution, entitled Concurrent resolution urging the passage of an act of Congress to allow the 15th and 16th Regiments Missouri Cavalry volunteers, a bounty; which was read the first time and laid over.

Mr. Gwynne introduced bill No. 339, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealer in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; which was read the first time and laid over.

Mr. Mahn introduced bill No. 340, entitled An act to amend section 53 of chapter 165 of the General Statutes, relating to quieting of title to real property, the same being section fifty-three of article five chapter 110 of Wagner's Statutes; which was read the first time and laid over.

Mr. Collins introduced bill No. 341, entitled An act giving a lien to persons keeping, boarding, or furnishing feed for horses, mules and other animals, and providing for the enforcement of such lien, and repealing chapter 196 of the General Statutes of Missouri, entitled of liens for keeping horses and other animals, and all other statutes and acts inconsistent with this act; which was read the first time and laid over.

Mr. Cloud introduced bill No. 346, entitled An act in relation to attorneys' fees in cases referred to arbitrators and referees; which was read the first time and laid over.

Mr. Wells introduced bill No. 343, entitled An act to regulate the payment of warrants drawn against the State Revenue Fund, and to provide for the payment of two hundred and fifty thousand dollars revenue bonds; which was read the first time and laid over.

Mr. Kneisley introduced bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of the State of Missouri, being section 42, chapter 11 of Wagner's Statutes, and to further amend said chapter by adding a new section thereto, to be numbered section 85; which was read the first time and laid over.

Mr. Burrows introduced bill No. 348, entitled An act to regulate the sale of intoxicating liquors, by dealers in drugs and medicines, and to repeal all acts and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced bill No. 344, entitled An act to repeal an act entitled an act to regulate the maximum amount of fees to be retained by clerks of circuit courts in all counties and cities not within the limits of a county having a population of 300,000 inhabitants, or more, approved April 28, 1877; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced bill No. 345, entitled An act to repeal an act entitled an act concerning fees and the collection thereof, of justices of the peace in cities of thirty thousand or more inhabitants, which became a law on the 22d day of March, 1872; which was read the first time and laid over.

Mr. Knight introduced bill No. 347, entitled An act to amend an act entitled an act to regulate charges on railroads, approved March 29, 1875; which was read the first time and laid over.

Mr. Morrison introduced bill No. 349, entitled An act to amend section 66 of the revenue law, so as to add an additional column in the assessor's book for school tax; which was read the first time and laid over.

Mr. Booth, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus, between the parent of such minor and any person not the parent, approved March 15, 1877; was taken up and ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 161, entitled An act to amend sections 4, 9 and 10 of chapter 23 of Wagner's Statutes, entitled bridges, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 161, entitled An act to amend sections 4, 9 and 10 of chapter 23 of Wagner's Statutes, entitled bridges; was taken up, and the House refused to order it to engrossment and printing.

Mr. Ingram introduced bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue; which was read the first time and laid over.

The special order being the consideration of House bill No. 24, and the substitute pending therefor, entitled An act to abolish the office of prosecuting attorney and creating the office of circuit attorney; was taken up.

Mr. Gwynne offered the following amendment to the substitute:

No. 1. Amend section 4 by inserting after the word circuit, in the third line of printed substitute the words, or criminal; which was read and agreed to.

Mr. Gwynne offered the following amendment to the substitute:

No. 2. Amend section 5 by adding after the word attorneys, in the tenth line of printed substitute, the following:

Provided that the provision of the law shall not apply to the circuit attorneys of any circuit which shall be composed of a single county, but in all such circuits the circuit attorney shall receive such compensation as is now provided by this section; which was read and agreed to.

Mr. Organ offered the following amendment to the substitute:

Amend by striking out the word four, in second line of second section, and inserting the word six, in printed substitute; which was read and not agreed to.

The question recurring on agreeing to the substitute; it was not agreed to.

The question recurring upon the engrossment and printing of the bill; the House refused to order it to engrossment and printing.

The special order being the consideration of House bill No. 152, entitled An act to prescribe the powers and duties of boards of education; was called up.

Mr. Dryden moved to postpone the further consideration of the bill, until Thursday, February 20, 1879; which was not agreed to.

Mr. Burford offered the following amendment:

Amend section 2, line 7, by inserting after the word the, the words normal or; which was read.

Mr. Lockhart offered the following amendment to the amendment :

Amend by adding after the words normal school, the words, State University; which was read.

On motion of Mr. Manistre, the House took a recess until 2½ P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

The House resumed the consideration of House bill No. 152 and pending amendments.

Mr. Campbell of St. Louis city raised the point of order that the amendment to the amendment, which was offered by Mr. Lockhart was out of order, it not being germane to the subject.

The Speaker decided the point of order well taken, and the amendment to the amendment was ruled out of order.

Mr. Foster offered a substitute for the bill and amendment.

Mr. Farr moved that the further consideration of the bill and the substitute, be postponed until Wednesday, February 19.

Mr. Cloud moved that the bill and substitute be postponed indefinitely.

The ayes and noes being demanded, the motion to postpone indefinitely, prevailed by the following vote :

AYES—Messrs. Alldridge, Ballew, Beckner, Berryman, Bonham, Booth, Boulware, Bowman, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Holt, Craig, Creager, Crowther, Diercks Dryden, Ellis, Farr, Foster, Freed, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Knight, Lockhart, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of St. Louis, McCormick of St. Louis city, Organ, Patterson of Schuyler, Pehle, Powell, Powers, Ragan, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Tevis, Turner, Warren, Weygandt and Whitaker—66.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Berry, Bohnannon, Brady, Brewer, Brown, Burford, Campbell of St. Louis city, Carroll, Chitwood, Cock, Coleman, Cowan of Christian, Cox, Crow, Dade, Dale, Davis, Dougherty, Drum, Ewing, Finks, Haynes, Harri-

gan, Ingram, Kneisley, Larimore, Lesueur, Louthan, Lynn, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Linn, Pepper, Phelan, Pollock, Pollard, Price, Riley, Settles, Swank, Taylor, Tiernan, Vancleve, Waggener, Wells, Wisby, Withers and Younger—62.

ABSENT—Messrs. Dawson, Dilley, Wiley and Mr. Speaker—4.

ABSENT WITH LEAVE—Messrs. Bashaw, Ham, Lackland, Mabrey, Rawlings, Talbot and Windes—7.

SICK—Messrs. Dodson, Gray and Miles—3.

Mr. Cowan of Holt moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Davis moved to postpone consideration of the motion to reconsider until Wednesday, February 19th.

Mr. Pehle moved to lay that motion on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail, by the following vote:

AYES—Messrs. Alldridge, Beckner, Berryman, Bonham, Booth, Bowman, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chilton, Cloud, Cooper, Craig, Diercks, Dryden, Ellis, Farr, Foster, Freed, Hayes, Hale, Hall, Harrington, Hubbard, Hynes, Johnson, Larimore, Lockhart, Mackey, Mahn, Manistre, Maynard, Moler, Mott, McCormick of St. Louis city, Patterson of Schuyler, Pehle, Powell, Powers, Ragan, Saunders, Smith of Cedar, Spring, Tevis, Weygandt and Whitaker—47.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bohannon, Boulware, Brady, Brewer, Brown, Burford, Campbell of St. Louis city, Carleton, Carroll, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Dade, Dale, Davis, Dawson, Dilley, Dougherty, Drum, Ewing, Finks, Greer, Gwynne, Hammons, Haynes, Harrigan, Harrison, Ingram, Kendall, Kneisley, Knight, Lesueur, Louthan, Lynn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Pepper, Phelan, Pollock, Pollard, Price, Riley, Settles, Souder, Smith of St. Louis city, Swank, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Wisby, Withers and Younger—80.

ABSENT—Messrs. Berry, Crowther, Reynolds, Wiley and Mr. Speaker—5.

ABSENT WITH LEAVE—Messrs. Bashaw, Ham, Lackland, Mabrey, Rawlings, Talbot and Windes—7.

SICK—Messrs. Dodson, Gray and Miles—3.

The question recurring upon the motion of Mr. Davis to postpone the consideration of the motion to reconsider until Wednesday, the 19th inst.; it was agreed to.

On motion of Mr. Farr, 200 copies of the substitute were ordered printed.

House bill No. 306, entitled An act concerning strays; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 307, entitled An act to amend section 6 of chapter 206 of the General Statutes of Missouri, being section 6 of article 3 of chapter 42 of Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 308, entitled An act to provide for the levy of a poll tax; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 309, entitled An act regulating pawnbrokers; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 310, entitled An act to provide for the collection of the revenue of cities having a population of less than twenty thousand persons, and incorporated towns in the State of Missouri, and repealing sections 177, 178, 179 and 180 of an act entitled an act for the assessment and collection of the revenue, approved March 30, 1872, and all other acts and parts of acts inconsistent with the provisions of this act; was called up, read the second time, and, on motion referred to the Committee on Ways and Means.

House bill No. 311, entitled An act in relation to the assessment and collection of the revenue, and to provide a more equitable plan of taxation; was called up, read the second time, and on motion, referred to the Committee on Ways and Means, and 200 copies ordered printed for information of the House.

House bill No. 312, entitled An act to amend section 21 of chapter 9 of Wagner's Missouri Statutes, relating to voluntary assignments; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

House bill No. 313, entitled An act to authorize county courts to submit to the voters of their respective counties propositions to increase the annual rates of taxation for erecting public buildings; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 314, entitled An act to amend section 5 of an act

to provide for the organization and conduct of savings and banks of deposit and discount, approved May 15, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 315, entitled An act to repeal an act entitled an act to establish a criminal court in the sixth judicial district and the county of Johnson, approved March 18, 1875, and to abolish the court established by said act, and to provide for the disposition of the books, records and papers of said court and the causes therein pending; was called up, read the second time, and, on motion, referred to the special committee on redistricting the State.

House bill No. 316, entitled An act for the relief of L. C. Lohman; was called up, read the second time, and on motion, referred to the Committee on Claims.

House bill No. 317, entitled An act to amend chapter 113 of the General Statutes of the State of Missouri, entitled of marriages and marriage contracts, by striking out sections 4, 5, 6, 7, 8, 9, 10 and 11 of said chapter, and inserting certain new sections in lieu thereof, to be numbered, respectively, sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 318, entitled An act to impose a license tax on the owners and keepers of jacks and stallions, and to create a lien in their favor; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 319, entitled An act for the relief of Hezekiah Lindsay; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 320, entitled An act to pay Geo. W. Gordon for property lost while being used by the State; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 321, entitled An act to amend an act entitled an act to amend section 55, chapter 152 of the General Statutes of Missouri, relating to partition, by repealing the allowance of all fees of any attorney or attorneys bringing suit for partition or defending the same; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter, to be called section 15; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto relating to juries; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto, was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857; and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory thereof and supplementary thereto; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors and witnesses in St. Louis county, approved March 5, 1855; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailer of St. Louis county, approved February 15, 1865; and, also, an act entitled an act concerning the common jail and jailer thereof in St. Louis county, approved February 27, 1866; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 330, entitled An act in relation to suing married women; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

House bill No. 331, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all

acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 332, entitled An act to amend section 7 of an act entitled an act to provide for the collection of delinquent taxes, and taxes on real estate forfeited to the State, approved April 12, 1877; and, repealing section 184 of An act entitled an act concerning the assesment and collection of the revenue, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 333, entitled An act to encourage immigration; was called up, read the second time, and, on motion, referred to the Special Committee on Emigration.

House bill No. 334, entitled An act in relation to the assessment of notes, bonds, bills, written evidences of debt or claims held against others, and the equalization of taxation; was called up, read the second time, and, on motion, referred to Committee on Retrenchment and Reform.

House bill No. 335, entitled An act classifying property for the purpose of taxation; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 336, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 337, entitled An act to amend section 51, article 5 of Wagner's Missouri Statutes, entitled of pleadings and the rules of pleading, the same being section 45, chapter 169 of the General Statutes; was called up, read the second time, and, on motion, referred to the Committtee on Jndiciary and 200 copies ordered printed for information.

House bill No. 338, entitled An act to amend section 36 of an act entitled an act to divide the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 27, entitled Joint and concurrent resolution providing for the pay of the clerical force, and other necessary expenses of the Joint Committee on Revision, approved under House joint and concurrent resolution No. 14; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 61, entitled An act concerning oaths and affirmations; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 68, entitled An act to revise and amend title 20, chapter 55 of the General Statutes of the State of Missouri, concerning ferries; which was read the first time and laid over.

Senate bill No. 116, entitled An act entitled an act to repeal an act to provide for the custody of minor children in proceedings in *habeas corpus* between the parent of such minor and any person not the parent, approved March 15, 1877; which was read the first time and laid over.

Senate bill No. 121, entitled An act to amend section 48 of chapter 121 of the General Statutes of the State of Missouri, concerning executors and administrators; which was read the first time and laid over.

Senate bill No. 122, entitled An act entitled an act to amend section 21 of chapter 110, article 12 of new trials, arrest of judgment, appeals and clerks' duties, Wagner's Statutes of Missouri, 1872, the same being section 21, chapter 172 of the General Statutes of Missouri, 1865, requiring circuit clerks to docket all civil cases for trial, and return cases first in preference to criminal cases; which was read the first time and laid over.

Senate concurrent resolution No. 8, entitled Concurrent resolution in reference to the copyright of the reports of the decisions of the Supreme Court of the United States; which was read the first time and laid over.

House bill No. 10, entitled An act in relation to salaries of certain officers; was called up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan, of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Freed, Greer, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Manistre, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Powell, Powers, Price, Riley, Reynolds, Souder, Smith of Cedar, Spring, Swank, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Withers—90.

NOES—Messrs. Arnold, Berryman, Booth, Campbell of St. Louis city, Carleton, Carroll, Cooper, Cox, Crowther, Davis, Dawson, Dryden, Farr, Finks, Foster, Gwynne, Hayes, Hall, Harrigan, Kendall, Mahn, Maynard, Mott, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Phelan, Pollock, Pollard, Saunders, Settles, Smith of St. Louis city, Taylor, Tiernan, and Younger—37.

ABSENT WITH LEAVE—Messrs. Bashaw, Lackland, Ham, Mabrey, Rawlings, Talbot and Windes—7.

ABSENT—Messrs. Brady, Mabrey, Mudd of St. Louis, Ragan and Wiley—5.

SICK—Messrs. Dodson, Gray and Miles—3.

The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bills Nos. 14, 35 and 41 entitled An act to amend sections 23 and 24 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cox, Creager, Crow, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hall, Hammons, Haynes, Harrison, Hubbard, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Patterson of Linn, Pehle, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Wells, Weygandt, Wisby, Withers and Younger—101.

NOES—Messrs. Adams, Bowman, Carleton, Chitwood, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crowther, Dawson, Dryden, Hayes, Hale, Harrington, Hynes, Kendall, Morrison, McKill, Palmer, Patterson of Schuyler, Pollard, Riley, Souder, Swank, Warren and Whitaker—26.

ABSENT—Messrs. Brady, Carroll, Harrigan, Wiley and Mr. Speaker—5.

ABSENT WITH LEAVE—Messrs. Bashaw, Ham, Lackland, Mabrey, Rawlings, Talbot and Windes—7.

SICK—Messrs. Dodson, Gray and Miles—3.

The title of the bill was read and agreed to.

Mr. Hall moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Gwynne, the House adjourned until to-morrow morning at 9:30 o'clock.

TWENTY-NINTH DAY—THURSDAY, February 13, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

Mr. McCormick of St. Louis city offered the following resolution:

WHEREAS, Mr. Dodson, in consequence of sickness, is unable to perform the duties assigned him as committeeman on Blind Asylum, and desires Mr. Reynolds to take his place; therefore be it

Resolved, That Mr. Reynolds be added to said committee instead of Mr. Dodson; which was read and adopted.

Leave of absence was granted the Committee on Blind Asylum for five days.

Leave of absence was granted Mr. Wells for five days.

On motion of Mr. Kneisley the use of the hall was granted to Mr. Hickman for to-night, to lecture on temperance.

Mr. Mackey offered the following resolution:

Resolved, That the public printer be instructed to print 200 copies of Senate bill No. 207, entitled of Treasury Department, for the use of the House; which was read and adopted.

Mr. Taylor offered the following resolution:

Resolved, That the sum of one hundred dollars and thirty cents be allowed to defray the expenses of the committee appointed to investigate the State Treasury matters; which was read and adopted.

Mr. Ingram presented a petition from citizens of Springfield, in relation to prohibiting the licensing of gambling or gaming houses, bawdy houses, houses of ill-fame or assignation houses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Cloud presented a memorial, entitled A memorial to Congress in relation to swamp lands; which was read, and, on motion, referred to the Committee on Federal Relations.

Mr. Campbell of St. Louis city presented a petition from citizens of Barton county, in relation to transferring the sessions of the Supreme Court from Jefferson City to St. Louis; which was read, and, on motion, referred to the Committee on Federal Relations.

Mr. Mudd of St. Louis presented a petition from the Womens Suffrage Association of Missouri, in relation to conferring the right of suffrage on women; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Foster presented a memorial of the Merchants' Exchange of St. Louis, in relation to mutual benevolent societies; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Younger presented a petition from citizens of St. Clair county, in relation to strays; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Crowther introduced a bill entitled An act to amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, by adding a new section thereto, to be known as section 36; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 70 of the General Statutes of Missouri, concerning benevolent, religious and educational associations; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 62 of the General Statutes of Missouri, concerning private corporations, their powers and liabilities; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 64 of the General Statutes of Missouri, concerning macadamized, graded and plank road companies; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 65 of the General Statutes of Missouri, concerning telegraph companies; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 66 of the General Statutes of Missouri, concerning the appropriation and valuation of lands taken for telegraph, macadamized, graded, plank or railroad purposes; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 67 of the General Statutes of Missouri, concerning insurance companies; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 68 of the General Statutes of Missouri, concerning savings banks and fund companies; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced a bill entitled An act to revise and amend chapter 69 of the General Statutes of Missouri, concerning manufacturing and business companies; which was read the first time and laid over.

Mr. Burrows introduced a bill entitled An act to create an income levy to produce a sinking fund for the payment of the State and municipal indebtedness; which was read the first time and laid over.

Mr. Johnson introduced a bill entitled An act to amend sections 1 and 2 of an act entitled an act to provide for a uniform system of county courts, approved April 27, 1877; which was read the first time and laid over.

Mr. Dougherty introduced a bill entitled An act fixing the compensation of experts testifying in courts of record; which was read the first time and laid over.

Mr. Lynn introduced a bill entitled An act to repeal an act entitled an act to aid in the establishment of normal schools, approved March 19, 1870; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced a bill entitled An act to repeal an act entitled an act in relation to the justices of the county court in St. Louis county, approved March 25, 1868; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced a bill entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced a bill entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced a bill entitled An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827; and, an act supplementary thereto, approved January 12, 1831; and, also an act entitled an act to better provide for the support of the poor in St. Louis county, approved March 1, 1855; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced a bill entitled An act to repeal an act entitled an act to work roads in St. Louis county, approved March 12, 1849; which was read the first time and laid over.

Mr. Foster introduced a bill entitled An act authorizing the judges of courts of record in the State of Missouri, to appoint stenographers for their respective courts, and providing for their compensation; which was read the first time and laid over.

House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved April 28, 1877, and also to amend sections 38, 48 and 59 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up.

On motion of Mr. Pepper, the further consideration of the bill was postponed until Tuesday, February 18, at 10 o'clock A. M.

House bill No. 60, entitled An act regulating the fees of witnesses; was taken up.

Mr. Ingram moved that the further consideration of the bill be indefinitely postponed.

The ayes and noes being demanded, the bill was indefinitely postponed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Drum, Dryden, Ellis, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hale, Hall, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan,

Riley, Saunders, Souder, Smith of St. Louis city, Spring, Swank, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Whitaker and Younger—93.

NOES—Messrs. Adams, Anderson, Ballew, Boulware, Brown, Burford, Carleton, Chitwood, Collins, Cowan of Christian, Dade, Dale, Dilley, Dougherty, Ewing, Hammons, Larimore, Morrison, Mudd of Lincoln, McElvain, McKinney, Settles, Smith of Cedar, Taylor, Turner, Warren and Withers—27.

ABSENT—Messrs. Brady, Brewer, Davis, Freed, Louthan, O'Malley, Pepper, Wiley, Wisby and Mr. Speaker—10.

ABSENT WITH LEAVE—Messrs. Ham, Lackland, Mabrey, McIntyre, Powell, Rawlings, Reynolds, Talbot, Wells, and Windes—10.

SICK—Messrs. Dodson and Gray—2.

Mr. Powers moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Farr moved to lay that motion on the table; which was agreed to.

House bill No. 79, entitled An act to regulate the building of barbed wire fence; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Andrews, Burrows, Carroll, Cloud, Cock, Coleman, Cox, Diercks, Ewing, Finks, Johnson, Miles, Moler, Morrison, Mudd of Lincoln, Patterson of Linn, Pollock, Swank, Younger and Mr. Speaker—20.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Freed, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Harrigan, Harrison, Hubbard, Haynes, Ingram, Kendall, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Mott, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Tevis, Tiernan, Turner, Waggener, Whitaker and Withers—93.

ABSENT—Messrs. Anderson, Brady, Campbell of Atchison, Davis, Haynes, Harrington, Kneisley, Mudd of St. Louis, O'Malley, Organ, Saunders, Warren, Weygandt, Wiley and Wisby—15.

ABSENT WITH LEAVE—Messrs. Ham, Knight, Lackland, Mabrey, McIntyre, Powell, Rawlings, Reynolds, Talbot, Vancleve, Wells, and Windes—12.

SICK—Messrs. Dodson and Gray.

Mr. Bonham moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 83, entitled An act to amend an act entitled an act to promote the science of medicine and surgery, approved March 28, 1874; was taken up.

On motion of Mr. Campbell of St. Louis city, the bill was laid on the table.

House bill No. 89, entitled An an to amend chapter 70 of the General Statutes of Missouri, being article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of new sections thereto, as sections 14 and 15; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Balley, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tiernan, Turner, Warren, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—112.

NOES—Messrs. Booth, Cox, Pehle and Tevis—4.

ABSENT—Messrs. Bowman, Brady, Davis, Drum, O'Malley, Saunders, Taylor, Waggener and Wisby—9.

ABSENT WITH LEAVE—Messrs. Cock, Ham, Knight, Lackland, Mabrey, Manistre, McCormick of St. Louis city, Pollock, Powell, Rawlings, Reynolds, Talbot, Vancleve, Wells and Windes—14.

SICK—Messrs. Dodson and Gray—2.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 99, entitled An act to amend section 7 of chapter 96 of the General Statutes, being section 7 of chapter 106 of Wagner's

Statutes, entitled peddlers' licenses; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Wiley, Withers, Younger and Mr. Speaker—103.

NOES—Messrs. Alldridge, Andrews, Beckner, Burford, Cooper, Haynes, Ingram, McKinney and Whitaker—9.

ABSENT—Messrs. Anderson, Bowman, Brady, Davis, Hall, Harrington, Louthan, Miles, McGarry, O'Malley, Taylor and Wisby—12.

ABSENT WITH LEAVE—Messrs. Cock, Ham, Harrigan, Knight, Lackland, Mabrey, Manistre, McCormick of St. Louis city, Pollock, Powell, Rawlings, Reynolds, Talbot, Vancleve, Wells and Windes—16.

SICK—Messrs. Dodson and Gray—2.

The title of the bill was read and agreed to.

Mr. Cloud moved to reconsider the vote by which the bill passed.

Mr. Bryan moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 103, entitled An act to amend section 18 of chapter 189 of the General Statutes of Missouri, the same being section 18 of chapter 85 of Wagner's Statutes; was taken up.

On motion of Mr. Withers, the bill was laid over until Tuesday, February 18.

On motion of Mr. Moler, the House adjourned until 9½ o'clock to-morrow morning.

THIRTIETH DAY—FRIDAY, February 14, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

The Special Committee to investigate the State Treasury was granted leave of absence for three days.

Leave of absence was granted Mr. Harrison for three days.

Mr. Collins presented a petition from citizens of Lafayette county, in relation to prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Pehle introduced a joint and concurrent resolution, entitled Joint and concurrent resolution, in relation to providing for the insane who have been rendered homeless by the disastrous fire at St. Joseph; which was read the first time and laid over.

Mr. Hynes introduced a concurrent resolution, entitled Concurrent resolution, instructing our Senators and members of Congress to use their influence against the passing of the Texas Pacific railroad bill, wherein the government guarantees the interest on its bonds, and recommending the loan of money instead; which was read the first time, and, on motion, referred to the Committee on Federal Relations.

Mr. Settles introduced a bill entitled An act to amend section 4 of an act entitled an act to regulate the inspection of petroleum oils or fluids, or any products thereof, sold or manufactured for illuminating purposes, approved March 24, 1870; which was read the first time and laid over.

Mr. Haynes introduced a bill entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; which was read the first time and laid over.

Mr. Larimore introduced a bill entitled An act to encourage farmer's stock sales; which was read the first time and laid over.

Mr. Larimore introduced a bill entitled An act to restrain domestic male animals from running at large; which was read the first time and laid over.

Mr. Dade introduced a bill entitled An act to prevent public officers having charge of public funds from gambling, and for the recovery of money lost at gambling by such officers, and to punish the person or persons winning such funds; which was read the first time and laid over.

Mr. Pepper introduced a bill entitled An act to repeal an act concerning fees, and the collection thereof, of justices of the peace in cities of thirty thousand or more inhabitants, which became a law on the 22nd day of March, 1872, having remained over ten days with the Governor while the General Assembly was in session; which was read the first time and laid over.

Mr. Bonham introduced a bill entitled An act to amend section 8 and section 18 of chapter 129 of Wagner's Statutes, fixing the compensation of the State Librarian and his assistant, and the regulation thereof; which was read the first time and laid over.

Mr. Tevis, from the Committee on roads and highways submitted the following report.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 288, entitled An act concerning the collection of road taxes, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 288, entitled An act concerning the collection of road taxes; was taken up; the House refused to order the bill to engrossment and printing.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 195, entitled An act to amend section 28 of the general law concerning roads and highways, entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do not pass; which was read.

House bill No. 195, entitled An act to amend section 28 of the general law concerning roads and highways, entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1879; was taken up; the House refused to order the bill to engrossment and printing.

Mr. Dryden, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 297, entitled an act to amend section 44 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 297, entitled An act to amend section 44 of an act entitled an act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up.

The House ordered the bill engrossed and printed.

Mr. Dryden, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 76, entitled an act to amend section 33, chapter 189, relating to landlords and tenants, beg leave to report that they have considered the same, and recommend that it do pass with the amendment herewith submitted; which was read.

House bill No. 76, entitled An act to amend section 33 of chapter 189 of the General Statutes of Missouri; was taken up, with the following amendment recommended by the Committee on Judiciary:

Amend by striking out the words "or the collector of said agent," wherever they occur in said bill; which was read and agreed to.

The bill as amended was ordered engrossed and printed.

Mr. Dryden, from the Committee on Judiciary, offered the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 136, entitled an act exempting from taxation real estate upon which there are mortgages, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Ways and Means; which was read.

House bill No. 136, entitled An act to exempt from taxation real estate upon which there are mortgages; was taken up, and, on motion, referred to the Committee on Ways and Means.

Mr. Dryden, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 305, entitled an act to provide for the transferring of unexpended balances in county treasuries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 305, entitled An act to provide for the transferring of unexpended balances in county treasuries; was taken up and ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 184, entitled An act to amend an act entitled an act in relation to roads and highways, approved March 24, 1877, have had the same under consideration, and have instructed me to report it back to the House with the recommendation that it do not pass; which was read.

House bill No. 184, entitled An act to amend an act entitled an act in relation to roads and highways, approved March 24, 1877; was taken up, and, on motion of Mr. Campbell of St. Louis city, the bill was laid on the table.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 298, entitled An act to provide for the election of road overseers, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 298, entitled An act to provide for the election of road overseers; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 219, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they have considered the same, and recommend that the substitute therefor herewith submitted by the committee do pass; which was read.

House bill No. 219, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was taken up, with the substitute recommended by the Committee on Roads and Highways.

The substitute was agreed to and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 223, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880 beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

House bill No. 223, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was taken up with the following amendments, recommended by the Committee on Ways and Means.

Amendment No. 1—Amend section 3 by inserting after the word money, in the eighth line, printed bill, the words, out of this fund; which was read and agreed to.

Amendment No. 2—Amend section 5, printed bill, line 15, by inserting after the word, dollars and figures, in brackets, the words, for salary of the judge of the Weston court of common pleas, one hundred and forty-seven (\$147) dollars; which was read and agreed to.

Amendment No. 3—Amend section 5 by striking out the word, county, in the twenty-first line of printed bill, and inserting the word, city, in lieu thereof; which was read and agreed to.

Amendment No. 4—Amend section 12 by adding at the end of said section the words for repairing the State Armory building, one hundred and fifty dollars (\$150); which was read and agreed to.

Amendment No. 5—Amend section 13 by striking out the first clause relating to the printing of the laws and journals; which was read and agreed to.

Amendment No. 6—Amend by striking out section 20; which was read and agreed to.

Amendment No. 7—Amend by striking out section 21, and inserting the following section, as a substitute therefor:

SEC. 21. For the furnishing of necessary supplies for the support of the patients now provided by law to be kept by Insane Asylum No. 2, at St. Joseph, the sum of eight thousand five hundred and seventy dollars (\$8,570,) to be paid upon the requisition of the board of managers, to be approved by the Governor; which was read and agreed to.

The bill, as amended, was made the special order for Thursday, February 20th.

Mr Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 296, entitled An act to amend section '87 [86] of an act entitled an act concerning the assessment and collec-

tion of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis by the city, State and schools, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis, by the city, State and schools; was taken up.

On motion, the bill was laid over until Monday morning next.

Mr. Davis, from the Committee on Ways and Means submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 101, entitled An act to amend section one of an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, beg leave to report that they have considered the same, and recommend that it be referred to Committee on Criminal Jurisprudence; which was read.

House bill No. 101, entitled An act to amend section one of an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was taken up, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865; was taken up, and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report;

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailer of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof, in St. Louis county, approved February 27, 1866, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailer of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof, in St. Louis county, approved February 27, 1866; was taken up, and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 328, entitled An act to repeal an act regulating the fees of grand and petit jurors and of witnesses in St. Louis county, approved March 5, 1855, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors, and of witnesses in St. Louis county, approved March 5th, 1855; was taken up, and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts supplementary thereto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto; was taken up, and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real estate in

St. Louis county more accurate and complete, approved February 25, 1863; was taken up, and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto; was taken up and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 6, memorializing Congress for the improvement of the navigation of the White river, beg leave to report that they have considered the same, and recommend that the substitute do pass; which was read.

House joint and concurrent resolution No. 6, entitled Joint and concurrent resolution memorializing Congress for the improvement of the navigation of White river; was taken up with the substitute recommended by the Committee on Federal relations; the substitute was agreed to and ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 17, entitled House concurrent resolution in relation to opening of the Indian Territory, have had the same under consideration, and I am instructed by the Committee to report the accompanying substitute therefor to the House, with the recommendation that the substitute do pass; which was read.

House joint and concurrent resolution No. 17, entitled House joint and concurrent resolution in relation to the organization of a Territorial Government in the Indian Territory; was taken up with the substitute recommended by the Committee on Federal Relations.

The substitute was agreed to and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House joint and concurrent resolution No. 27, entitled House joint and concurrent resolution providing for the pay of the clerical force and other necessary expenses of the Joint Committee on Revision, appointed under House joint and concurrent resolution No. 14, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted be adopted; which was read.

House joint and concurrent resolution No. 27, entitled Joint and concurrent resolution, providing for the pay of the clerical force and other necessary expenses of the Joint Committee on Revision, appointed under House joint and concurrent resolution No. 14; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was agreed to and ordered engrossed and printed.

The following message was received from the Senate, through its Secretary, Mr. Pemberton.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 12, entitled An act regulating the interest of money, in which the concurrence of the House is respectfully requested; which was read.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, same being article 2 of chapter 118 of Wagner's Statutes; and has also amended and passed the emergency clause thereto, which amendments are herewith reported; which was read.

On motion of Mr. Davis, the Senate amendments to House bill No. 154, were ordered printed.

Mr. Dryden presented a memorial from the mayor of the City of St. Louis in relation to changing the law in regard to the appointment of Police Commissioners for that city; which was read, and,

On motion of Mr. Dryden, 150 copies ordered printed.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bills Nos. 70, 87, 122 and 186, 84 and 50, beg leave to report that they have examined the same, and find them truly en-

grossed, and that the printed copies furnished to the members are correct; which was read.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 299, entitled An act to amend sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes, entitled of the preservation of fish and the destruction of wolves, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 299, entitled An act to amend sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri, entitled of the preservation of fish and destruction of wolves; was taken up with the substitute recommended by the Committee on Agriculture.

Mr. Johnson moved that the bill and substitute be indefinitely postponed.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Booth, Bowman, Brewer, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Cooper, Creager, Crow, Dale, Dawson, Dilley, Drum, Farr, Finks, Freed, Gray, Hubbard, Hynes, Johnson, Kendall, Louthan, Mahn, McElvain, O'Malley, Palmer, Powers, Price, Riley, Spring, Swank, Talbot, Turner, Waggener, Weygandt, Withers and Younger—49.

NOES—Messrs. Adams, Anderson, Andrews, Bashaw, Bonham, Boulware, Burrows, Campbell of St. Louis city, Collins, Cook, Cowan of Christian, Cowan of Molt, Cox, Craig, Crowther, Dade, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Greer, Gwynne, Hayes, Hall, Hammons, Harrison, Ingram, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mackey, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McKill, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Settles, Smith of Cedar, Tevis, Warren, Whitaker and Wiley—60.

ABSENT—Messrs. Brady, Campbell of Atchison, Cloud, Foster, Hale, Haynes, Harrington, McDaniel, Ragan, Souder, Smith of St. Louis city, Wisby and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Brown, Cock, Ham, Harrigan, Knight, Lackland, Mabrey, Manistre, Mc-Cormick of St. Louis city, McIntyre, Powell, Rawlings, Reynolds, Saunders, Taylor, Tiernan, Vancleve, Wells and Windes—19.

SICK—Mr. Dodson—1.

Mr. Riley offered the following amendment to the substitute :

Amend by the following: "The State to pay one-half cost, and the county the other;" which was read and agreed to.

The question recurring on agreeing to the substitute as amended, it was agreed to.

The substitute was ordered engrossed and printed.

Mr. Cox, from the Committee on Permanent Seat of Government, submitted the following report :

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred House bill No. 270, entitled An act providing for the election of the Commissioner of Permanent Seat of Government, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 270, entitled An act providing for the election of the Commissioner of Permanent Seat of Government; was taken up, and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report :

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred substitute for House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts and ex-officio recorders, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

House bill No. 74, entitled An act to regulate the compensation of clerks of circuit courts and ex-officio recorders; was taken up, with the following amendments, recommended by the Committee on Retrenchment and Reform :

Amendment No. 1. Amend section 1 by striking out the word "thirty" and insert in lieu thereof the word "twenty," and by striking out the words "nine hundred" in the sixth line and insert in lieu thereof the words "one thousand;" which was read and agreed to.

Amendment No. 2—Amend section 2 by inserting after the word "more," where it occurs in said section the first time, the words "than twenty thousand inhabitants and less;" which was read and agreed to.

Amendment No. 3—Amend section 2 by adding the following words: "In all counties having over thirty thousand inhabitants, and less than two hundred thousand, such clerk shall not retain as compensation for his services as such clerk and ex-officio recorder, more than twenty-five hundred dollars for any one year's services as such clerk and recorder; provided, that in all such counties where the office of circuit clerk and that of recorder are disconnected, such clerk shall

retain for his services, for each year, not more than the sum of two thousand dollars. This section shall not include cities having over one hundred thousand inhabitants;" which was read and agreed to.

Amendment No. 4—Amend section 3 by inserting after the word "clerk," the words "in any county;" which was read and agreed to.

Amendment No. 5—Amend substitute for House bill No. 8, by inserting the following section in place of section 6, and making section 6 section 7:

In all counties or cities having more than two hundred thousand inhabitants, the clerk of the circuit court shall retain as full compensation for his services, three thousand, five hundred dollars for each year's service as such clerk. The circuit court of such county or city, by order to be entered of record, shall prescribe the number of deputies said clerk may appoint to aid in the discharge of his duties, and shall fix the salaries of such deputies, except that of the chief deputy, which shall be \$2,400 per annum; provided, that no deputy except said chief deputy shall receive a salary exceeding \$2,000 per annum, said deputies to be appointed by the circuit clerk, as is now provided by law; which was read and agreed to.

Mr. Haynes offered the following amendment:

Amend by adding new section:

SECTION 7. This act to take effect and be in force from and after the time for which the present clerks were elected and commissioned; which was read.

Pending the consideration of which, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The Speaker called the House to order.

The House resumed consideration of House bill No. 8, and the amendment offered by Mr. Haynes, pending at the hour of recess.

The amendment was not agreed to.

Mr. Smith of Cedar offered the following amendment:

Amend section 1, line 3, printed bill, by striking out the words "twelve hundred" and inserting "one hundred" in lieu thereof; which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Alldridge, Ballew, Beckner, Burford, Burrows, Coleman, Cowan of Christian, Dade, Gray, Lockhart, Lynn, Miles, Organ, Palmer, Patterson of Schuyler, Pepper, Souder, Smith of Cedar, Swank, Whitaker, Wisby and Younger—22.

NOES—Messrs. Berry, Berryman, Bohannon, Booth, Boulware Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Louthan, Mackey, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Patterson of Linn, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Withers and Mr. Speaker—83.

ABSENT—Messrs. Adams, Anderson, Andrews, Arnold, Bashaw, Bonham, Brady, Crow, Dawson, Dryden, Finks, Foster, Mahn, McDaniel, McIntyre, O'Malley, Pollock and Tevis—18.

ABSENT WITH LEAVE—Messrs. Brown, Cock, Ham, Harrington, Knight, Lackland, Mabrey, Manistre, McCormick of St. Louis city, Powell, Rawlings, Reynolds, Saunders, Settles, Taylor, Tiernan, Wells and Windes—18.

SICK—Mr. Dodson—1.

Mr. Pepper moved to reconsider the vote by which amendment No. 3, recommended by the Committee on Retrenchment and Reform, was agreed to; which was not agreed to.

Leave of absence was granted Mr. Finks for three days.

Leave of absence was granted Mr. Tevis for three days.

The question being upon the engrossment and printing of the bill, The ayes and noes were demanded.

Pending the roll call,

Mr. Davis raised the point of order that the question of engrossment and printing was not the proper order of procedure at this juncture, and held that the bill as amended should be referred to the Special Committee on Revision, citing as his authority the sixth clause of House joint and concurrent resolution No. 14.

The Speaker decided the point of order well taken.

Mr. Dade appealed from the decision of the Chair.

Mr. Davis moved to lay the appeal upon the table.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Arnold, Ballew, Bashaw, Berry, Berryman, Campbell of St. Louis city, Chilton, Cowan of Holt, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Freed, Hayes, Hale, Hall, Haynes, Kneis-

ley, Larimore, Louthan, Morrison, Mudd of Lincoln, McElvain, McGarry, McKill, O'Malley, Palmer, Pepper, Smith of St. Louis city, Waggener and Wiley—33.

NOES—Messrs. Adams, Andrews, Beckner, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crowther, Dade, Dale, Diercks, Drum, Ewing, Gray, Greer, Gwynne, Hammons, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Lesueur, Lockhart, Lynn, Mackey, Mahn, Miles, Moler, Mott, Mudd of St. Louis, McCormick of Washington, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Souder, Smith of Cedar, Spring, Swank, Talbot, Turner, Warren, Weygandt, Whitaker, Wisby, Withers and Younger—77.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Alldridge, Anderson, Crow, Dryden, Foster, Maynard, McDaniel and Pollock—8.

ABSENT WITH LEAVE—Messrs. Brown, Cock, Finks, Ham, Harrigan, Knight, Lackland, Mabrey, Manistre, McCormick of St. Louis city, McIntyre, Powell, Rawlings, Reynolds, Saunders, Settles, Taylor, Tevis, Tiernan, Wells and Windes—21.

SICK—Messrs. Dodson and Vancleve—2.

The question being, "Shall the decision of the Chair stand as the decision of the House?"

Mr. Campbell of St. Louis city moved to postpone further consideration of the question until to-morrow morning.

On motion of Mr. Patterson of Linn, the House adjourned until to-morrow morning at 9½ o'clock.

THIRTY-FIRST DAY.—SATURDAY, February 15, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

The house resumed consideration of the appeal from the decision of the Chair, pending at the hour of adjournment on yesterday.

The question being, Shall the decision of the Chair stand as the decision of the House? the decision of the Chair was sustained.

Mr. Palmer introduced bill entitled An act to amend section 42 of chapter 160 of the General Statutes of the State of Missouri of 1865, of executions; which was read the first time and laid over.

Mr. Creager introduced bill entitled An act to prevent and punish public officers of this State, or of municipalities and counties, or employes thereof, from intoxication, so as to impair their capacity; which was read the first time and laid over.

House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts, and ex-officio recorders; was referred to the Committee on Revision.

Mr. Organ offered the following resolution :

Resolved, That the Committee on Mines and Mining, Public Printing, and such other committees, not less than three in all, as have not been provided with clerks, shall be allowed to unite and employ one clerk for said committees; which was read and not adopted.

Mr. Farr introduced a concurrent resolution entitled Concurrent resolution of the House of Representatives and the Senate of the Thirtieth General Assembly of the State of Missouri, submitting an amendment to article four (4) of the Constitution of the State of Missouri, to a vote of the qualified voters of the State, at the general election to be holden on the Tuesday next after the first Monday in November, in the year 1880, providing for the removal of the Seat of Government of this State from the City of Jefferson to the City of Sedalia, in Pettis county; which was read the first time and laid over.

Mr. Dade presented a petition from the faculty of the University of the State of Missouri, relating to extinguishing the evils arising from the use of alcoholic liquors as a beverage; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Dade presented a petition from citizens of Boone county in relation to prohibiting the sale of intoxicating liquors; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. McElvain presented a petition from citizens of Worth county in relation to prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Dryden introduced bill entitled An act to provide for issuing duplicate State bonds or coupons; which was read the first time and laid over.

Mr. Dawson introduced bill entitled An act to license non-resident trappers, hunters and fishermen; which was read the first time and laid over.

Mr. Cox introduced bill entitled An act to appropriate money to repay to David Voeth, of Ste. Genevieve county, Missouri, for money expended by him in pursuing, apprehending and bringing to justice horse thieves; which was read the first time and laid over.

Mr. Smith of Cedar introduced bill entitled An act to protect owners of live stock; which was read the first time and laid over.

Mr. Hammons introduced a bill entitled An act to amend section 76 of an act entitled an act to reorganize and provide for the support of public schools and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874, to create central school boards and to prescribe their powers and duties and to provide better facilities for the education of colored children in county districts; which was read the first time and laid over.

Mr. Craig introduced a bill entitled An act restraining certain animals from running at large; which was read the first time and laid over.

Mr. Adams introduced a bill entitled An act to amend chapter 85 of Wagner's Missouri Statutes by adding one more section thereto, to be known as section 52; which was read the first time and laid over.

Mr. Moler from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 318, entitled An act to impose a license tax on the owners and keepers of jacks and stallions, and to create a lien in their favor, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 318, entitled An act to impose a license tax on the owners and keepers of jacks and stallions, and to create a lien in their favor; was taken up, and, the House refused to order the bill to engrossment and printing.

House bill No. 339, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 340, entitled An act to amend section 53 of chapter 165 of the General Statutes, relating to quieting of title to real pro-

perty, the same being section 53 of article 5, chapter 110 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 341, entitled An act giving a lien to persons keeping and boarding and furnishing feed for horses, mules and other animals, and providing for the enforcement of such lien, and repealing chapter 196 of the General Statutes and all other statutes and acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of Missouri, being section 42 chapter 11 of Wagner's Statutes, and to further amend said chapter by adding a new section thereto, to be section No. 85; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 343, entitled An act to regulate the payment of warrants drawn against the State revenue fund, and to provide for the payment of two hundred and fifty thousand dollars revenue bonds; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 344, entitled An act to repeal an act entitled an act to regulate the maximum amount of fees to be retained by clerks of circuit courts in all counties and cities not within the limits of a county having a population of three hundred thousand inhabitants or more, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 345, entitled An act to repeal an act entitled an act concerning fees and the collection thereof, of justices of the peace, in cities of thirty thousand or more inhabitants, which became a law on the 22d day of March, 1872; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 346, entitled An act in relation to attorney's fees; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 347, entitled An act to amend an act entitled an act to regulate charges on railroads, approved March 29, 1875; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 348, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, and to repeal all acts and parts of acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence, and ordered printed for information.

House bill No. 349, entitled An act to amend section 66 of the revenue law, so as to add an additional column in the assessor's book for school tax; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means, and 200 copies ordered printed for information.

House bill No. 351, entitled An act to amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, by adding a new section thereto, to be known as section 36; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 352, entitled An act to revise and amend chapter 70 of the General Statutes of Missouri, concerning benevolent, religious and educational associations; was called up, read the second time, and, on motion, referred to the Committee on Scientific and Benevolent Institutions.

House bill No. 353, entitled An act to revise and amend chapter 65 of the General Statutes of Missouri, concerning telegraph companies; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 354, entitled An act to revise and amend chapter 62 of the General Statutes of Missouri, concerning private corporations, their powers and liabilities; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 355, entitled An act to revise and amend chapter 64 of the General Statutes of Missouri, concerning macadamized, graded and plank road companies; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 356, entitled An act to revise and amend chapter 67 of the General Statutes of Missouri, concerning insurance companies; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 357, entitled An act to revise and amend chapter 68 of the General Statutes of Missouri, concerning savings banks and fund companies; was called up, read the second time, and, on motion, referred to the committee on Banks and Corporations.

House bill No. 358, entitled An act to revise and amend chapter 69 of the General Statutes of Missouri, concerning manufacturing

and business companies; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 359, entitled An act to revise and amend chapter 66 of the General Statutes of Missouri, concerning the appropriation and valuation of lands taken for telegraph, macadamized, graded, plank or railroad purposes; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 360, entitled An act to amend sections 1 and 2 of an act entitled an act to provide for a uniform system of county courts, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 361, entitled An act to repeal an act entitled an act to aid in establishment of normal schools, approved March 19, 1870; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 364, entitled An act to repeal an act entitled an act in relation to the justices of the county court in St. Louis county, approved March 25, 1868; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 365, entitled An act fixing the compensation of experts testifying in courts of record; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 366, An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled an act better to provide for the support of the poor in St. Louis county, approved March 1, 1855; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12, 1849; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 368, entitled An act authorizing the judges of courts of record in the State of Missouri to appoint stenographers for their respective courts, and providing for their compensation; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 369, entitled An act to create an income levy to produce a sinking fund for the payment of the State and municipal indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 370, entitled An act to restrain domestic male animals from running at large; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 371, entitled An act to amend sections 8 and 18 of chapter 129 of Wagner's Statutes, fixing the compensation of the State Librarian and his assistant, and the regulation thereof; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 372, entitled An act to amend section 4 of an act entitled an act to regulate the inspection of petroleum oils or fluids, or any products thereof, sold or manufactured for illuminating purposes, approved March 24, 1870; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 373, entitled An act to encourage farmer's stock sales; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 374, entitled An act to prevent public officers having charge of public funds from gambling, and for the recovery of money lost at gambling by such officer, and to punish the person or persons winning such funds; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 375, entitled An act to repeal an act concerning fees and the collection thereof, of justices of the peace in cities of thirty thousand or more inhabitants, which became a law March 22, 1872, having remained over ten days with the Governor, while the General Assembly was in session; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 376, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House concurrent resolution No. 28, entitled Concurrent resolution urging the passage of an act of Congress, to allow the 15th and 16th regiments Missouri cavalry volunteers a bounty; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House joint and concurrent resolution No. 29, entitled Joint and concurrent resolution in relation to providing for the insane who have been rendered homeless by the disastrous fire at St. Joseph; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 116, entitled An act entitled an act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 68, entitled An act to revise and amend title 20, chapter 55 of the General Statutes of the State of Missouri, concerning ferries; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

Senate bill No. 121, entitled An act to amend section 48 of chapter 121 of the General Statutes of the State of Missouri, concerning executors and administrators; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 122, entitled An act to amend section 21 of chapter 110, article 12, of new trials, arrest of judgment, appeals and clerks' duties, Wagner's Statutes of Missouri, 1872, the same being section 21, chapter 172 of General Statutes of Missouri, 1865, requiring circuit clerks to docket all civil causes for trial and return cases first in preference to criminal cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate joint and concurrent resolution No. 8, entitled Concurrent resolution in reference to the copyright of the reports of the decisions of the Supreme Court of the United States; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up and read the first time.

Senate bill No. 12, entitled An act regulating the interest of money; was called up and read the first time.

Mr. Arnold offered the following resolution, amending the rules of the House:

Amend section 7, article 5 of the rules and orders of this House, so as to read as follows:

SEC. 7. When a bill has been reported upon by a committee of the House, other than that of revision, and said report is without recommendation or that said bill do not pass, the Speaker shall state that the bill is subject to amendment, and if amended or not amended and not recommitted, the question shall be, Shall this bill be engrossed and printed? In case said committee report said bill by amendment, substitute or otherwise, with the recommendation that it do pass, the same shall be recommitted to the Committee on Revision, and upon the report of said Committee on Revision, the same proceeding shall be had as hereinbefore provided in case of bills reported upon unfavorably or without recommendation; which was read and laid over.

Mr. Burford offered the following resolution, amending the rules of the House:

Amend rules of the House by requiring all bills to be printed on their first reading; which was read and laid over.

Mr. Harrington introduced bill entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriages and marriage contracts; which was read the first time and laid over.

On motion of Mr. Price, the House adjourned until Monday morning at 9½ o'clock.

THIRTY-SECOND DAY—MONDAY, February 17th, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem* Campbell in the Chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Dade, the further reading was dispensed with.

On motion of Mr. McIntyre, W. H. Helm, the member-elect from Dunklin county, vice Mr. Long, deceased, came forward, presented his certificate of election, was sworn in by the Speaker, *pro tem.*, and took his seat. On motion, his certificate of election was referred to the Committee on Elections.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 172, entitled an act to appropriate money for the support of the State government for the years 1879 and 1880;

Also, Senate bill No. 84, entitled An act to revise and amend title seven, chapter 15, of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act, with an emergency clause;

Also Senate bill No. 161, entitled An act authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the United States, whose fees are to be paid out of the amounts collected, in which the concurrence of the House is respectfully requested; which was read.

Mr. Tiernan presented a petition from citizens of Kansas City, Mo., in relation to gambling houses, bawdy houses or houses of ill fame or assignation; which was read, and on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Pehle presented a petition from citizens of Franklin county, praying for the passage of a township law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Collins offered the following resolution:

Resolved, That the Judiciary Committee of the House be, and it is hereby requested and instructed to examine section thirty-four of article four of the Constitution of this State, and report to the House for the information of the members thereof, at the earliest day practicable, whether, under said section of the Constitution, it is necessary, *First*, In a bill proposing to amend an act or a section of an act by striking out certain words thereof, to set out in full the exact words proposed to be stricken out, and then set out in full the act or section of the act as it would read as amended. *Second*, In a bill proposing to amend an act or a section of an act by inserting therein certain words, to set out in such bill the exact words proposed to be inserted, and then set out the act or section of the act as it would read as amended. *Third*, In a bill proposing to amend an act or a section of an act by striking out certain words thereof and inserting in lieu of such words other words, to set out in full the exact words proposed to be stricken out, and the exact words proposed to be substituted, and then set out in full the act or section of the act as it would read as amended; and *Fourth*, If the Constitution makes these requirements, what effect a non-conformity therewith in the passage of an act would have upon the constitutionality of a law so enacted; which was read and adopted.

Mr. Gwynne introduced a concurrent resolution, No. 32, entitled Concurrent resolution memorializing congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from the State courts to the circuit courts of the United States; which was read the first time and laid over.

Mr. Patterson of Linn introduced bill No. 387, entitled An act to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum; which was read the first time and laid over.

Mr. Ragan introduced bill No. 388, entitled An act to amend part or subdivision eleventh of section one of an act entitled An act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877; which was read the first time and laid over.

Mr. Ewing introduced bill No. 397, entitled An act to enable counties, cities, towns and townships to fund their bonded and other indebtedness; which was read the first time and laid over.

Mr. Cowan of Christian introduced bill No. 399, entitled An act regulating the fees of witnesses; which was read the first time and laid over.

Mr. Turner introduced bill No. 390, entitled An act to amend section eleven of an act entitled an act in relation to roads and highways, providing for the establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Lynn introduced bill No. 392, entitled An act to amend chapter 63 of the General Statutes of the State of Missouri entitled of railroad companies, the same being article 2 of chapter 37 of Wagner's Missouri Statutes, by adding a new section thereto; which was read the first time and laid over.

Mr. Brady introduced bill No. 391, entitled An act in relation to pawnbrokers; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 395, entitled An act to amend section 1, chapter 68 of Wagner's Missouri Statutes of 1872; which was read the first time and laid over.

Mr. Chilton introduced bill No. 396, entitled An act to provide a uniform system for canceling county warrants; which was read the first time and laid over.

Mr. Collins introduced bill No. 393, entitled An act to prohibit the shooting or trapping or killing of wild geese after sunset; which was read the first time and laid over.

Mr. Berryman introduced bill No. 394, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bills Nos. 155, 113, 232, 139, 179, and substitutes for House bills No. 74 and 222, beg leave to report that they have examined the same, and find them truly engrossed, and that the printed copies furnished to the members are correct; which was read.

Mr. Moler, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 373, entitled An act to encourage farmers' stock sales, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 373, entitled An act to encourage farmers' stock sales; was taken up, and ordered engrossed and printed.

House bill No. 377, entitled An act to provide for issuing duplicate State bonds or coupons; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 378, entitled An act to license non-resident trappers, hunters and fishermen; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 379, entitled An act to appropriate money to repay David Voth of Ste. Genevieve county, Missouri, for money expended in pursuing, apprehending and bringing to justice horse thieves; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 380, entitled An act to protect the owners of live stock; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 381, entitled An act to amend section 76 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874, to create central school boards and to prescribe their powers and duties, and to provide better facilities for the education of colored children in country districts; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 382, entitled An act to amend chapter 85 of Wagner's Missouri Statutes by adding one more section thereto, to be known as section 52; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 383, entitled An act to prevent and punish public officers and employes from impairing their capacity for same by intoxication and drunkenness; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 384, entitled An act restraining certain animals from running at large; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 385, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri, of 1865, of executions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriages and marriage contracts; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House concurrent resolution No. 31, entitled Concurrent resolution of the House of Representatives and the Senate of the 30th General Assembly of the State of Missouri, submitting an amendment to article 4 of Constitution of the State of Missouri, to a vote of the qualified voters at the general election in 1880, providing for the removal of the Seat of Government of this State from Jefferson City to Sedalia; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Senate bill No. 12, entitled An act regulating the interest of money; was called up and read the second time.

Mr. Burrows offered the following amendment:

Amend by striking out the word "eight" in the second line of the second section and inserting the word "six" in lieu thereof; which was read.

On motion of Mr. Anderson, the bill [and] amendment were referred to the Committee on Judiciary.

On motion of Mr. McIntyre, the vote by which House bill No. 297 was ordered to engrossment and printing was reconsidered, and the bill recommitted to the Committee on Judiciary.

Leave of absence was granted Mr. Bonham for eight days.

Leave of absence was granted Mr. Davis for four days.

Leave of absence was granted Mr. Smith of St. Louis city for three days.

Leave of absence was granted Mr. Lockhart for one day.

Leave of absence was granted Mr. Berry for ten days.

Leave of absence was granted Mr. Larimore for one day.

Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15 of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; was called up and read the first time.

Senate bill No. 161, entitled An act authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the United States, whose fees are to be paid out of the amounts collected; was called up and read the first time.

Senate bill No. 172, entitled An act to appropriate money for the support of the State Government for the years 1879 and 1880; was called up and read the first time.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House concurrent resolution No. 25, entitled Concurrent resolution in regard to the sulphate of quinine; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

The special order, being the consideration of House bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis, by the city, State and schools; was taken up.

Mr. Foster moved that the further consideration of the bill be postponed until Tuesday, February 25th; which was not agreed to.

Mr. Campbell of St. Louis city moved to postpone the further consideration of the bill until Friday, the 21st inst., and that it be referred to the St. Louis Delegation; which was agreed to.

Leave of absence was granted Mr. Farr for one day.

House Bill No. 70, entitled An act in relation to public school funds; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chil-

ton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrington, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Weygandt, Wiley, Withers, Younger and Mr. Speaker—110.

NOES—Messrs. Booth, Bowman, Cooper, Craig and Warren—5.

ABSENT—Messrs. Hynes, Maynard, Mudd of St. Louis, Pollock, Whitaker and Wisby—6.

ABSENT WITH LEAVE—Messrs. Bonham, Cock, Davis, Farr, Finks, Ham, Harrigan, Harrison, Knight, Lackland, Larimore, Lockhart, Mabrey, Manistre, Reynolds, Saunders, Settles, Smith of St. Louis city, Taylor and Wells—20.

SICK—Messrs. Vancleve and Windes—2.

The title of the bill was read and agreed to.

Mr. Campbell of Atchison moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 84, entitled An act to repeal chapter 19 of the General Statutes of Missouri, and the acts amendatory thereto, entitled of the Register of Lands; was taken up.

Mr. Harrington moved to postpone the further consideration of the bill until Tuesday, March 4.

The ayes and noes being demanded, the motion to postpone did not prevail, by the following vote :

AYES—Messrs. Berryman, Booth, Brady, Campbell of St. Louis city, Craig, Dilley, Gwynne, Hammons, Haynes, Harrington, Hynes, Moler, Mudd of Lincoln, McDaniel, Ragan, Riley, Tiernan, Wiley and Mr. Speaker—19.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Freed, Gray, Greer, Hayes, Hale, Hall, Hubbard,

Helm, Ingram, Johnson, Kendall, Kneisley, Louthan, Lynn, Mackey, Mahn, Miles, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Waggener, Warren, Weygandt, Withers and Younger—94.

ABSENT—Messrs. Cooper, Cox, Lesueur, Maynard, Mudd of St. Louis, Pollock, Whitaker and Wisby—8.

ABSENT WITH LEAVE—Messrs. Bonham, Cock, Davis, Farr, Finks, Ham, Harrigan, Harrison, Knight, Lackland, Larimore, Lockhart, Mabrey, Manistre, Reynolds, Saunders, Settles, Smith of St. Louis city, Taylor and Wells—20.

SICK—Messrs. Vancleve and Windes—2.

Mr. Gwynne moved to postpone the further consideration of the bill until Friday next; which was not agreed to.

The bill was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Freed, Gray, Greer, Hale, Hammons, Haynes, Harrington, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Lesueur, Louthan, Lynn, Mackey, Mahn, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Rawlings, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Withers and Younger—93.

NOES—Messrs. Berryman, Brady, Campbell of St. Louis city, Carleton, Cox, Dawson, Dilley, Gwynne, Hayes, Hall, Helm, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, O'Malley, Phelan, Ragan, Riley, Tiernan and Mr. Speaker—22.

ABSENT—Messrs. Maynard, Moler, Mudd of St. Louis, Pollock, Whitaker and Wisby—6.

ABSENT WITH LEAVE—Messrs. Bonham, Cock, Davis, Farr, Finks, Ham, Harrigan, Harrison, Knight, Lackland, Larimore, Lockhart, Mabrey, Manistre, Reynolds, Saunders, Settles, Smith of St. Louis city, Taylor and Wells—20.

SICK—Messrs. Vancleve and Windes—2.

The title of the bill was read and agreed to.

Mr. Dade moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table, which was agreed to.

House bill No. 87, entitled An act to amend section 1 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Hammons, Haynes, Harrington, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Lesueur, Louthan, Mackey, Mahn, Miles, Moler, Morrison, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Souder, Spring, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Withers and Mr. Speaker—103.

NOES—Messrs. Adams, Bohannon, Brady, Foster, Lynn, Smith of Cedar, Swank and Younger—8.

ABSENT—Messrs. Dryden, Helm, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, Pollock, Whitaker, Wiley and Wisby—10.

ABSENT WITH LEAVE—Messrs. Bonham, Cock, Davis, Farr, Finks, Ham, Harrigan, Harrison, Knight, Lackland, Larimore, Lockhart, Mabrey, Manistre, Reynolds, Saunders, Settles, Smith of St. Louis city, Taylor and Wells—20.

SICK—Messrs. Vancleve and Windes—2.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed

the Senate, Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution, memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City, Missouri, in which the concurrence of the House is respectfully requested; which was read.

On motion of Mr. Moler, the House adjourned until 9½ o'clock, to-morrow morning.

THIRTY-THIRD DAY—TUESDAY, February 18, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cloud, the further reading was dispensed with.

Mr. Powers offered the following resolution, amending the rules of the House:

Resolved, That section 10 of article 2 of the rules of this House be amended so as to read as follows:

Section 10. The regular hour of meeting of the House shall be 8½ o'clock, and there shall be but one session per day unless otherwise ordered by the House; which was read and laid over informally.

Mr. Bryan offered the following preamble and resolutions:

WHEREAS, In a great State like Missouri, there are many important interests that need the fostering care and protection of the State government; and, Whereas, the question of finance, and incidental to it, that of the rate of interest is of vast moment, and enters largely into the future prosperity of the State, which prosperity can only be assured by encouraging alike all industries, trades and professions which are essential to the moral and material welfare of the State; Therefore be it

Resolved by the House of Representatives, That a variety of interests does not necessarily imply a conflict of interests; that there is sufficient statesmanship in this body to secure protection to the many without oppression of the few.

Resolved, That in accordance with those views, the Judiciary Committee be instructed to prepare a bill fixing the rate of interest in this State, as follows: Where no interest is specified, six per cent.; on

judgments six per cent.; on all bonds issued by corporations or counties, not exceeding six per cent. : on special contracts with personal security, not exceeding ten per cent.; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Mudd of St. Louis offered the following resolution :

Resolved, That the ladies representing the Woman's Suffrage Association, be allowed the use of this hall for an address on the evening of Thursday, the 20th inst.; which was read and adopted.

Mr. Chilton presented a petition from ministers of the gospel of Pettis county, Missouri, praying the General Assembly to amend the law in relation to marriages, so as to require all persons who desire to be united in marriage, to procure an official license; which was read, and referred to the Committee on Criminal Jurisprudence.

Mr. Mudd of St. Louis presented a petition from citizens of Kirkwood, St. Louis county, Missouri, praying the General Assembly to repeal the act incorporating the town of Kirkwood; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. McElvain presented a petition from citizens of Worth county, Missouri, asking the General Assembly to submit to the voters of the State a proposition to amend the Constitution in regard to the manufacture of intoxicating drinks within the State; which was read, and on motion, referred to the Committee on Constitutional Amendments.

Mr. Cook introduced bill No. 398, entitled An act to provide the ways and means to rebuild the State Lunatic Asylum No. 2; which was read the first time and laid over.

Mr. Foster introduced bill No. 399, entitled An act to preserve the public school funds of cities and towns of this State; which was read the first time and laid over.

Mr. Price introduced bill No. 400, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved March 2, 1877; which was read the first time and laid over.

Mr. Powers introduced bill No. 401, entitled An act to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum, approved March 28, 1872; which was read the first time and laid over.

Mr. Campbell of St. Louis city introduced bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of Missouri, entitled of Supreme Court; which was read the first time and laid over.

House bill No. 74, entitled An act to prohibit railroad companies from cleaning stock cars on any but enclosed lands; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Withers and Younger—119.

NOES—Messrs. Mudd of Lincoln, Mudd of St. Louis and Mr. Speaker—3.

ABSENT—Messrs. Bowman, Brady, Dryden, Lackland, McIntyre, McKinney, Organ, Pehle, Pepper, Pollock, Pollard, Saunders, Settles and Whitaker—14.

ABSENT WITH LEAVE—Messrs. Bonham, Davis, Finks, Harrigan and Smith of St. Louis city—5.

SICK—Messrs. Adams and Vancleve—2.

The emergency clause was adopted by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crow, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrison, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pollard, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Souder, Smith of Cedar,

Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—106.

NOES—Messrs. Burford, Campbell of St. Louis city, Carroll, Cox, Crowther, Harrington, Hubbard, Hynes, Kneisley, Manistre, Mott, Mudd of Lincoln, Phelan, Riley, Saunders, Warren and Mr. Speaker—17.

ABSENT—Messrs. Brady, Campbell of Atchison, Creager, Dryden Lackland, Moler, Morrison, McIntyre, Organ, Pehle, Pepper, Pollock and Settles—13.

ABSENT WITH LEAVE—Messrs. Bonham, Davis, Finks, Harrigan and Smith of St. Louis city—5.

SICK—Messrs. Adams and Vancleve.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 109, entitled An act to amend section 2 of chapter 95 of the General Statutes, entitled of auctioneers and their licenses; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berryman, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hammons, Haynes, Harrison, Ingram, Johnson, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Morrison, Mott, McCormick of Washington, McGarry, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Souder, Talbot, Taylor, Tevis, Tiernan, Waggener, Warren, Wells, Windes, Withers and Mr. Speaker—83.

NOES—Messrs. Bashaw, Bohannon, Booth, Bowman, Brady, Burford, Cloud, Cooper, Cox, Craig, Dawson, Drum, Hale, Hall, Ham, Harrington, Hubbard, Hynes, Helm, Kendall, Knight, Mackey, Moler, McCormick of St. Louis city, McDaniel, McElvain, McKinney, O'Malley, Palmer, Pepper, Reynolds, Smith of Cedar, Spring, Swank, Turner, Weygandt, Whitaker, Wiley, Wisby and Younger—40.

ABSENT—Messrs. Berry, Cock, Dryden, Kneisley, Lackland, Miles, Mudd of Lincoln, Mudd of St. Louis, McIntyre, Pehle, Pollock, Pollard and Settles—13.

ABSENT WITH LEAVE—Messrs. Bonham, Davis, Finks, Harrigan and Smith of St. Louis city—5.

SICK—Messrs. Adams and Vancleve—2.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of House bill No. 52, entitled An act to amend sections 3 and 4 of an act entitled an act to amend sections 6, 7, 28, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved April 28, 1877, and also to amend sections 38, 48 and 59 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up.

Mr. Anderson moved that the vote by which the bill was ordered to engrossment and printing, be reconsidered; which was agreed to.

Mr. Anderson offered the following amendment:

Amend the 8th line of section 5 by striking out the words, "St. Louis county," and inserting in lieu thereof, the following words, "any city or county having over 200,000 inhabitants;" which was read.

Mr. Tiernan offered the following amendment to the amendment:

Amend by inserting "50,000" where "200,000" occurs; which was read and not agreed to.

Mr. Campbell of St. Louis city offered the following substitute for the amendment:

Strike out the last clause in section five, and insert the following: "this act shall not apply to any city or county in this State having a population exceeding two hundred thousand;" which was read.

Mr. Louthan that the bill and pending amendments be indefinitely postponed; which was not agreed to by the following vote:

AYES—Messrs. Brady, Bryan, Campbell of St. Louis city, Carroll, Chilton, Cock, Collins, Cooper, Craig, Creager, Crow, Crowther, Dale, Dilley, Dodson, Ellis, Ewing, Farr, Foster, Greer, Hayes, Hall, Hale, Hammons, Haynes, Ingram, Kendall, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, McCormick of St. Louis city, O'Malley, Patterson of Schuyler, Phelan, Pollard, Rawlings, Tiernan, Wells, Weygandt, Wiley, Windes and Withers—50.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Coleman, Cook, Cowan of Christian, Cox, Dade,

Dawson, Diercks, Dougherty, Drum, Gray, Ham, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Knight, Mackey, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pepper, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Whitaker, Wisby, Younger and Mr. Speaker—74.

ABSENT—Messrs. Berry, Carleton, Cowan of Holt, Dryden, Freed, Gwynne, Harrington, Lackland, Lesueur, Pehle, Pollock, Settles and Swank—13.

ABSENT WITH LEAVE—Messrs. Bonham, Davis, Finks, Harrigan and Smith of St. Louis city—5.

SICK—Mr. Adams—1.

The question recurring on the substitute offered by Mr. Campbell of St. Louis city; it was not agreed to.

The question recurring on the amendment offered by Mr. Anderson; it was agreed to.

Mr. McDaniel moved that the further consideration of the bill be postponed until Thursday next; which was agreed to.

House bill No. 137, entitled An act to amend the practice act in civil cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Ingram presented a petition, praying for an amendment to the school laws of this State; which was read, and, on motion, referred to the Committee on Education.

The Treasurer presented a petition from the chairman and secretary of the school board of the city of Lexington, Mo., praying for certain changes in the school law of this State; which was read, and, on motion, referred to the Committee on Education.

On motion of Mr. Hammons, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

Mr. Mott introduced bill No. 403, entitled An act to change the name of St. Louis county; which was read the first time, and laid over.

House bill No. 103, entitled An act to amend section 18 of chapter 189 of the General Statutes of Missouri, the same being section 18

of chapter 85 of Wagner's Statutes; was taken up, read the third time, and failed to pass by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Bohannon, Bonham, Boulware, Burrows, Collins, Ewing, Finks, Hall, Hynes, Moler, Mudd of Lincoln, Rawlings, Spring, Swank, Talbot and Withers—19.

NOES—Messrs. Arnold, Ballew, Bashaw, Beckner, Berryman, Booth, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powell, Powers, Ragan, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, and Younger—97.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Brady, Bryan, Campbell of St. Louis city, Carroll, Cook, Dawson, Gwynne, Knight, Lackland, Morrison, McGarry, McIntyre, O'Malley, Pehle, Pepper, Pollock, Pollard, Price, Settles, Vancleve and Wiley—21.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Harrigan and Smith of St. Louis city—4.

SICK—Mr. Adams—1.

Leave of absence was granted for the remainder of the afternoon to the Special Committee on investigation of the Treasury affairs.

Mr. Cowan of Holt moved to reconsider the vote by which House bill No. 83 was laid upon the table ; which was not agreed to.

House bill No. 113, entitled An act in relation to charging toll on turnpikes, plank and macadamized roads ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Knies-

ley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tierman, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—113.

NOES—Messrs. Booth, Cox, Dawson, Dilley, Hall, Hammons, Manistre and Miles—8.

ABSENT—Messrs. Andrews, Berry, Brady, Bryan, Campbell of St. Louis city, Carroll, Cook, Gwynne, Lackland, McIntyre, Pehle, Pollock, Price, Settles and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Brown, Davis, Harrigan, Smith of St. Louis city, Taylor and Wiley—6.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 115, entitled An act to amend section 44 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business, approved March 10, 1869, the same being section 44 of article — of chapter 76 of Wagner's Missouri Statutes, entitled insurance other than life; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Saunders,

Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Withers, Younger and Mr. Speaker—121.

ABSENT—Messrs. Andrews, Berry, Bryan, Campbell of St. Louis city, Carroll, Cook, Gwynne, McIntyre, Pehle, Pollock, Price, Settles and Wisby—13.

ABSENT WITH LEAVE—Messrs. Brown, Davis, Harrigan, Mott, Smith of St. Louis city, Taylor, Tiernan and Wiley—8.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 122, entitled An act to prevent the licensing by municipal corporations of certain professions; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Craig, Creager, Crow, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Weygandt, Whitaker, Windes, Wisby, Withers and Mr. Speaker—109.

NOES—Messrs. Burford, Coleman, Cowan of Christian, Cox, Crowther, Dade, Dale, Hynes, Ingram, Johnson, Kendall, Moler, McKinney, O'Malley, Pollard, Warren, Wells and Younger—18.

ABSENT—Messrs. Anderson, Andrews, Berry, Organ, Pehle, Pollock and Settles—7.

ABSENT WITH LEAVE—Messrs. Brown, Davis, Harrigan, Mott, Smith of St. Louis city, Taylor, Tiernan and Wiley—8.

SICK—Mr. Adams—1.

The emergency clause was adopted by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer,

Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Creager, Crow, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—110.

NOES—Messrs. Burford, Cowan of Christian, Cox, Crowther, Dade, Dale, Hynes, Ingram, Johnson, Kendall, Moler, McKinney, O'Malley and Younger—14.

ABSENT—Messrs. Anderson, Andrews, Berry, Boulware, Craig, Mott, Organ, Pehle, Settles, Swank and Warren—11.

ABSENT WITH LEAVE—Messrs. Brown, Davis, Harrigan, Pollock, Taylor, Tiernan and Wiley—7.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel, from the Special Joint Committee on Revision, submitted the following report:

MR. SPEAKER: I am instructed by the Joint Committee on Revision to make the following report to the House of Representatives. 1st, that the record of the meetings and actions of the Committee on Revision up to this date, are as follows:

ROOM OF THE JUDICIARY COMMITTEE
OF THE HOUSE OF REPRESENTATIVES, }
February 13th, 1879.

The Special Committee on Revision, appointed under House joint and concurrent resolution No. 14, met at the time and place above named. Present: Senators Wilson, Parrish and Burkeholder, and Representatives McDaniel, McIntyre, Anderson and Dryden.

On motion of Mr. McDaniel, the committee resolved to proceed to organize for business, and on his further motion, Mr. Dryden was chosen chairman of the committee.

On motion of Mr. McIntyre, it was resolved that the chair appoint a committee of two members to select a suitable room or rooms for the meetings of the committee, and to make report thereof at the next meeting of the committee, and whereupon the chair appointed Senator Parrish and Representative Anderson as said committee.

On motion of Senator Burkeholder, the committee adjourned to meet at the same place on Friday, the 14th of February, at 2 o'clock P. M.

(Signed)

JOHN D. S. DRYDEN,

Chairman.

FEBRUARY 14th, 1879.

The special committee met pursuant to adjournment. Present: Senators Wilson, Parrish and Burkeholder, and Representatives McDaniel, McIntyre, Anderson and Dryden.

Mr. Dryden in the chair.

The committee of two on the selection of rooms for the committee, being called upon for a report, Senator Parrish, of that committee, reported that the room in the Supreme Court building, adjoining the room of the House Judiciary Committee was suitable, and could be procured for the use of the committee.

Here Senator Wilson declared it as his understanding that the election of chairman at the meeting yesterday was for temporary chairman only.

The Chair then announced that that being the understanding of the Senator, he would resign the permanent chairmanship and insist upon a new election by the committee.

Thereupon Senator Parrish suggested the question of the constitutionality of the joint and concurrent resolutions under which this committee was raised, and questioning the rights and powers of the committee under their appointment; and pending the discussion thereof, participated in by Messrs. Parrish, McDaniel, Anderson, McIntyre, Wilson and Burkeholder,

Mr. Representative McDaniel offered the following resolution:

Resolved, That we proceed to revise the statute laws of this State, in conformity with the express provisions of House joint and concurrent resolution No. 14; which resolution was adopted by the committee by the following vote:

AYES—Messrs. Anderson, McDaniel, McIntyre and Dryden—4.

NOES—Messrs. Burkeholder, Parrish and Wilson—3.

Thereupon, on motion of Mr. McIntyre, the committee proceeded to the election of permanent chairman of the committee, and he put Mr. Dryden in nomination for that position. And Mr. McDaniel being called to the chair, and there being no other nomination, the vote

was taken upon the nomination of Mr. Dryden, and he was declared by the temporary chairman elected.

Senator Parrish then offered the following resolution:

Resolved, By the Committee on Revision, that said committee respectfully request the opinion of the Attorney-General of the State of Missouri as to the constitutionality of House joint and concurrent resolution No. 14; which resolution being put, was rejected by the following vote:

AYES—Senators Burkeholder, Parrish and Wilson—3.

NOES—Representatives Anderson, McDaniel, McIntyre and Dryden—4.

Thereupon Senators Wilson, Burkeholder and Parrish retired, declaring their purpose not further to act with the committee.

On motion of Mr. McIntyre, the committee adopted the following resolution, viz.:

Resolved, That the Secretary of State furnish to this committee 7 copies of the Revised Laws of 1855, 10 copies of the General Statutes, 10 copies of Wagner's Statutes of edition of 1872, 1 copy of the Session Acts passed at each session of the General Assembly from 1865 to 1877 inclusive, 7 copies of Meyers' Supplement to the Statutes of Missouri, last edition, 1 set of Missouri Reports, 1 copy of Patterson's Missouri Digest and Meyer's Supplement thereto, also blank books.

On motion of Mr. McDaniel, it was ordered that the janitor of the Supreme Court building be instructed to put the room selected by the committee of two in order for the use of this committee.

On motion of Mr. McIntyre, the committee resolved to proceed now to the election of one clerk of the committee, and he placed in nomination Nat. C. Dryden.

Mr. Anderson filed the application of Thos. P. Hoy and J. N. Hutchinson for clerk of this committee, and Mr. McDaniel laid before the committee written recommendation of M. R. Downs, of Kansas City, for a clerkship in the committee. The committee then proceeded to a vote, which resulted as follows, viz.: For Nat. C. Dryden—Messrs. Anderson, McDaniel and McIntyre. And these being a majority in his favor of all those voting, Nat. C. Dryden was declared elected clerk to the committee.

On motion of Mr. McIntyre, the committee adjourned to meet in their room, to-morrow, at 2 P. M.

(Signed)

JOHN D. S. DRYDEN,

Chairman.

SATURDAY, February 15, 1879.

The committee met pursuant to adjournment. Present—Messrs. Anderson, McDaniel and Dryden. And there not being a quorum present,

On motion of Mr. Anderson, the committee adjourned to meet at their room on Monday, the 17th of February, at 2 P. M.

(Signed)

JOHN D. S. DRYDEN,

Chairman.

MONDAY, February 17, 1879.

The Joint Committee on Revision met pursuant to adjournment. Present—Messrs. McDaniel, McIntyre, Anderson and Dryden. Mr. Dryden in the chair.

On motion of Mr. McIntyre, it was resolved by the committee that the clerk be required to furnish the chairman of the House Committee on Revision a copy of the record of the proceedings of the Joint Committee on Revision, and that the chairman of the House Committee on Revision be, and he is hereby instructed, to report the same to the House, with the announcement that said joint committee is now organized and ready for business, and awaits the pleasure of the House.

On motion of Mr. Anderson, the committee adjourned to meet at their room on Tuesday, February 18, 1879, at 2 o'clock P. M.

(Signed)

JOHN D. S. DRYDEN,

Chairman.

2nd, That said committee is now prepared to proceed upon the duties imposed upon it by the House joint and concurrent resolution No. 14; and,

3d, That said committee wishes to know the will of the House. All of which is respectfully submitted.

Which was read.

On motion of Mr. Moler, the House adjourned until 9½ o'clock to-morrow morning.

THIRTY-FOURTH DAY—WEDNESDAY, February 19, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Riley, the further reading was dispensed with.

Leave of absence was granted Messrs. Wiley, Taylor and Mott for one day.

Mr. Dade introduced a concurrent resolution, entitled Concurrent resolution in regard to the revision of the statutes of the State of Missouri, in pursuance of the requirements of the Constitution of the State; which was read the first time and laid over.

Mr. McIntyre introduced a concurrent resolution, entitled Concurrent resolution in relation to the revision of the General Statutes of the State of Missouri; which was read the first time, and 200 copies ordered printed immediately for the use of the House.

Mr. Lackland presented a petition from citizens of St. Clair county, praying for the passage of a law prohibiting hogs and sheep from running at large; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Saunders presented a petition from citizens of Buchanan county, praying that the General Assembly do not pass a law prohibiting (almost entire) fishing in the waters of Missouri; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Saunders presented a petition from citizens of Buchanan county, praying the General Assembly to submit to a vote of the people an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Lackland introduced bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Wells introduced bill No. 405, entitled An act to enable cities, incorporated towns, villages and school districts to collect delinquent taxes, and to enforce the lien for such taxes given by section 181 of the act of 1872, concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

Mr. Cook introduced bill No. 406, entitled An act to amend section 3 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1873, approved March 26, 1874; which was read the first time and laid over.

Mr. Bonham introduced bill No. 407, entitled An act to prevent swine from running at large in those counties which, by a majority vote, may decide to agree thereto; which was read the first time and laid over.

Mr. Craig introduced bill No. 403, entitled An act to appropriate money for the payment of Daniel Baldrige for outstanding military bonds, and the interest due thereon; which was read the first time and laid over.

Mr. Organ introduced bill No. 409, entitled An act to authorize the issue of currency bonds in renewal of existing bonds of this State, which can not be paid at maturity out of the sinking fund or other resources, and to declare certain bonds matured and subject to redemption; which was read the first time and laid over.

Mr. Cook introduced bill No. 410, entitled An act to repeal an act entitled an act to create an insurance department, approved March 4, 1869; which was read the first time and laid over.

Leave of absence was granted to Mr. McGarry for six days.

House bill 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes; was taken up with the following Senate amendments:

Amendment No. 1.—Amend section one by striking out the word "county," where it occurs before the word "Auditor," in the fifteenth and seventeenth lines of the original bill, and insert the word "city" in lieu thereof; which was read and concurred in by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—119.

ABSENT—Messrs. Brewer, Campbell of St. Louis city, Dade, Dale, Foster, Hayes, Hall, Hynes, Ingram, Johnson, Lackland, Pollock, Pollard, Saunders and Settles—15.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Mott, McGarry, Smith of St. Louis city, Taylor and Wiley—7.

SICK—Messrs. Ewing and Adams—2.

Amendment No. 2—Strike out all of the second section, and insert the following in lieu thereof:

SEC. 2. There being an inconsistency in the present law in defining the time at which the office of collector expires, creates an emergency for the immediate taking effect of this act: Therefore, this act shall take effect and be in force from and after its passage and approval by the Governor; which was read and concurred in by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—129.

ABSENT—Messrs. Brown, Campbell of St. Louis city, Harrington, Lackland, Organ, Pollock and Settles—7.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Mott, McGarry, Taylor and Wiley—6.

SICK—Mr. Adams—1.

Amendment No. 3—Amend by adding after the word "courts," in line 8 of section 1, the words "or mayor of any city not within a county;" which was read, and concurred in by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware,

Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—128.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Cox, Ewing, Lackland, Lynn, Pollock and Settles—8.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Mott, McGarry, Taylor and Wiley—6.

SICK—Mr. Adams—1.

The bill as amended was then passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—123.

ABSENT—Messrs. Beckner, Brown, Campbell of St. Louis city, Coleman, Hall, Hammons, Haynes, Lackland, Louthan, McIntyre, Pollock, Settles and Saunders—13.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Mott, McGarry, Taylor and Wiley—6.

SICK—Mr. Adams—1.

Mr. Cox moved to reconsider the vote by which the bill passed and lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred Concurrent Resolution No. 8, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bills No. 65, 264, 234, 191, 108, and substitutes for House bills No. 196, 32, 11, 48 and 12, beg leave to report that they have examined the same, and find them truly engrossed, and that the printed copies furnished to the members are correct; which was read.

Mr. Pollard presented a petition from citizens of Jasper county, protesting against the passage of the interest bill now pending before the General Assembly; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Alldridge offered the following resolution:

Resolved, That 200 copies of the concurrent resolution relating to revision, introduced by Mr. Dade of Greene county, be printed for the use of the members of this House; which was read and not adopted.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue of any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created;

Also Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation;

Also Senate Joint and concurrent resolution No. 5, entitled Joint and concurrent resolution, instructing our Senators and requesting our Representatives in Congress to procure, if possible, the enactment

of a law, or the submission of a constitutional amendment, to prevent the Federal courts from exercising or assuming jurisdiction in causes wherein any county or other subdivision of a State is, or shall be, a party; in which the concurrence of the House is respectfully requested; which was read.

The special order being consideration of substitute for House bills Nos. 4 and 31, entitled An act to provide for the infliction of corporal punishment in certain cases; was taken up.

Mr. Lesueur moved that the substitute and bills be re-committed to the Committee on Criminal Jurisprudence; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections to be known and numbered sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, in which the concurrence of the House is respectfully requested; which was read.

On motion of Mr. Dryden, the House adjourned until to-morrow morning at 9½ o'clock.

THIRTY-FIFTH DAY.—THURSDAY, February 20, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.*, Campbell, in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Brady, the further reading was dispensed with.

Mr. Lynn presented a petition from citizens of Scotland county, praying the General Assembly to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Ellis presented a petition from citizens of Nodaway county, praying the General Assembly to pass a stock law; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Farr presented a petition from citizens of Johnson county, praying that the General Assembly submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Bowman presented a petition from citizens of Phelps county, praying for the passage of a bill to regulate the sale of intoxicating liquors in certain towns or cities where State educational institutions are located; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Maynard presented a petition from citizens of Lawrence county, praying for the reduction of salaries of State and county officers; which was read, and, on motion, referred to the Committee on Retrenchment and reform.

Mr. Price offered the following resolution:

Resolved, That the sessions of this House hereafter open at 8½ o'clock in the morning, and continue till 1 o'clock of the same day, and that no afternoon session be held; which was read.

Mr. Bryan offered the following amendment to the resolution:

Amend by striking out "8½ o'clock" and inserting "9 o'clock;" which was read and agreed to.

The resolution as amended was read and adopted.

Mr. Vancleve introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in relation to a committee consisting of one member from the Senate and two from the House, be directed to visit Macon county and examine and report the inducements there offered for the location of Insane Asylum No. 2; which was read the first time and laid over.

Mr. Patterson of Linn offered the following resolution:

WHEREAS, Feeling most sensibly the oppressions under which the laboring classes are suffering; and,

WHEREAS, It is a duty we owe to ourselves, to our families and to our constituents, that extravagance and all unnecessary expenditures be cut off; therefore, be it

Resolved, 1st. That the clerks employed in, and for the benefit of the standing committees of the lower branch of the Missouri Legislature, be, and they are hereby dispensed with.

2d. That all of said committees shall select a clerk from their own number, without any extra compensation.

3d. This resolution to take effect and be in force from and after its passage; which was read.

Mr. Cock offered the following substitute for the resolution:

Resolved, That the Chief Clerk be requested to furnish to the House the number of clerks and employes now engaged in the services of same; which was read.

Mr. Riley moved that the resolution and substitute be referred to the Committee on Retrenchment and Reform.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Bashaw, Boulware, Brewer, Brown, Bryan, Chenoweth, Cox, Craig, Dale, Dawson, Dodson, Drum, Ewing, Freed, Hayes, Hall, Hale, Ham, Hammons, Haynes, Larimore, Lesueur, Louthan, Lynn, Mahn, Mudd of Lincoln, McCormick of Washington, McElvain, Powers, Riley, Saunders, Swank, Talbot and Windes—34.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dougherty, Dryden, Ellis, Farr, Gray, Gwynne, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Knight, Lackland, Lockhart, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, McDaniel, McIntyre, McKill, McKinney, O'Malley, Patterson of Linn, Pehle, Pepper, Phelan, Pollock, Pollard, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley, Wisby, Withers, Younger and Mr. Speaker—89.

ABSENT—Messrs. Finks, Foster, Greer, Hynes, Johnson, Kneisley, Mudd of St. Louis, McCormick of St. Louis city, Organ, Palmer, Patterson of Schuyler, Powell, Settles, Souder, Tiernan and Warren—16.

ABSENT WITH LEAVE—Messrs. Berry, Davis and McGarry—3

SICK—Mr. Adams—1.

By the consent of the House the substitute offered by Mr. Cock was withdrawn.

Mr. Campbell of St. Louis offered the following amendment: Amend by adding to the resolution as follows: Except the clerk of the Judiciary, Accounts, Penitentiary, Criminal Jurisprudence, Ways and Means, Banks and Corporations, Internal Improvements, Education and Justices of the Peace, and that any of said clerks may be as-

signed to any other committee that require the services of a clerk; which was read.

Mr. Bonham offered the following amendment to the amendment:

Resolved, That all the clerks be discharged, except the number of clerks as originally reported by the committee; which was read.

Pending the discussion upon the resolution and amendments, the special order being House bill No. 223, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was called up.

On motion of Mr. Campbell of St. Louis city, the further consideration of the bill was postponed until Tuesday, February 25th.

Leave of absence was granted Mr. Hynes for ten days.

Leave of absence was granted Mr. Greer for ten days.

Leave of absence was granted Mr. Souder for two days.

The special order being consideration of House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act concerning the assessment and collection of the revenue, approved March 30th, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved April 28th, 1877, and also to amend sections 38, 48 and 59 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up.

Mr. McKinney offered the following amendment: Amend section one, line four, by striking out the word "June" and inserting the word "April" in lieu thereof; which was read and not adopted.

Mr. Campbell of St. Louis city offered the following amendment: Provided that in cities and counties of this State having a population of sixty thousand inhabitants or more, the assessor shall begin the assessment on the first day of August in each year, and shall, in all other respects, make the assessment as required in this act, and in all cities having the population aforesaid, the register of said city shall do and perform all acts and duties required of clerks of county courts as provided in this act, and in all such cities the person making and subscribing the oath provided to be taken in section 31 of this act, shall state that the list therein referred to contains a true and correct statement of all property referred to in said section 31 on the first day of August, 18—, that was owned by him or under his control; which was read.

On motion of Mr. Taylor the previous question was ordered.

The question being upon agreeing to the amendment, the ayes and noes were demanded.

The amendment was not agreed to by the following vote:

AYES—Messrs. Brady, Campbell of St. Louis city, Carroll, Cox, Dryden, Foster, Gwynne, Hall, Hale, Harrigan, Harrington, Hubbard, Manistre, Mott, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Organ, Phelan, Pollock, Ragan, Rawlings, Smith of St. Louis city and Tiernan—24.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Gray, Hayes, Ham, Hammons, Haynes, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—105.

ABSENT—Messrs. Campbell of Atchison, Cock, Finks, Lackland, Mackey, Saunders and Settles—7.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hynes, McGarry and Souder—6.

SICK—Mr. Adams—1.

The question being shall the bill be engrossed and printed, the ayes and noes being demanded, the bill was ordered engrossed and printed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Crow, Crowther, Dade, Diercks, Dodson, Dougherty, Drum, Farr, Freed, Gray, Ham, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Mackey, Miles, Moler, Morrison, McCormick of Washington, McDaniel, McKill, McKinney, Palmer, Patterson of Linn, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—88.

NOES—Messrs. Brady, Bryan, Campbell of St. Louis city, Carroll, Craig, Creager, Dale, Dilley, Dryden, Ellis, Ewing, Finks, Foster,

Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Hubbard, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McIntyre, O'Malley, Organ, Patterson of Schuyler, Phelan, Pollock, Rawlings, Smith of St. Louis city, Tiernan and Mr. Speaker—42.

ABSENT—Messrs. Burrows, Cock, Dawson, Lackland, Maynard and Mudd of St. Louis—6.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hynes, McGarry and Souder—6.

SICK—Mr. Adams—1.

House joint and concurrent resolution No. 33, entitled House Joint and concurrent resolution in relation to the revision of the Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article two of chapter 118 of Wagner's Statutes; which was read.

House bill No. 154, entitled An act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was read at length by the clerk and signed by the Speaker, without objections, and presented by the chief clerk to the Governor.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House joint and concurrent resolution No. 33, entitled Joint and concurrent resolution in relation to the revision of the statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 33, entitled House joint and Concurrent resolution in relation to the revision of the statutes of the State of Missouri; was called up and ordered engrossed and printed.

Mr. Taylor introduced bill No. 411, entitled An act to amend an act entitled life insurance; which was read the first time and laid over.

Mr. Vancleve introduced bill No. 112, entitled An act declaring it felony to steal or take timber without the owner's knowledge or consent; which was read the first time and laid over.

The resolution and amendments, pending at the time the special order was called up, were taken up, the question being, upon agreeing to the amendments offered by Mr. Bonham.

Mr. Haynes moved to lay the amendments on the table.

The ayes and noes being demanded, the motion did not prevail by the following vote :

AYES—Messrs. Bashaw, Bowman, Brady, Campbell of St. Louis city, Carroll, Craig, Farr, Foster, Ham, Haynes, Harrigan, Kendall Lackland, Mudd of Lincoln, O'Malley, Phelan, Pollock, Saunders, Smith of St. Louis city, Tevis, Turner—21.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Gray, Gwynne, Hall, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—100.

ABSENT—Messrs. Crow, Hayes, Hale, Johnson, Kneisley, Louthan, Manistre, Maynard, Mott, McIntyre, Patterson of Linn, Pehle, Price, Tiernan and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hynes, McGarry and Souder—6.

SICK—Mr. Adams—1.

On motion of Mr. Taylor, the House adjourned until to-morrow morning at 9 o'clock.

THIRTY-SIXTH DAY—FRIDAY, February 21, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

Mr. Dawson offered the following resolution :

Resolved, That the Secretary of State be requested to furnish each member of this House with a copy of Wagner's Statutes of 1872, and Myer's Supplement, and that the cost of such books be paid out of the contingent expenses of the House; which was read and adopted.

Mr. Berryman offered the following resolution :

WHEREAS, By act of Congress, approved July 4, 1866, there was donated to the State of Missouri, to and in the construction and extension of the Iron Mountain railroad from Pilot Knob to a point on the southern boundary of the State, every alternate section of land designated by odd numbers within ten miles of either side of the line of road, and if said lands, or any part thereof, had been disposed of by the United States, the deficit was supplied by other lands; that said railroad has been so extended and said lands have been withdrawn from market by the United States; and,

WHEREAS, It appears that said lands so donated to the State of Missouri by the United States, cannot be bought, and are lying undisposed of; therefore be it

Resolved, By the House of Representatives, that the Register of Lands be, and he is hereby requested to report to this House the quantity of said lands so donated, their situation and all other facts touching the same, which he may be able to gather; and be it further

Resolved, That the Attorney-General be and he is hereby requested to report to this House the condition to the title to said lands, and all such other facts concerning the same of which he may be or can be possessed; which was read and adopted.

Mr. Dade moved to reconsider the vote by which the resolution directing the Secretary of State to furnish the members with a copy of Wagner's Statutes was adopted.

Mr. Waggener moved to lay the motion to reconsider on the table; which was agreed to.

Mr. Mahn offered the following resolution :

Resolved, That the committee appointed to visit different localities, and report upon the most eligible location for building an insane asylum, be and are hereby instructed to visit Farmington, St. Francois county, and report concerning the propriety of locating the same at that place ; which was read.

Mr. Anderson offered the following amendment :

“Provided the committee pay their own expenses ;” which was read.

The question recurring on the adoption of the resolution as amended ; it was not adopted.

Mr. Carleton introduced a concurrent resolution, entitled Concurrent resolution concerning the improvement of the Mississippi river to the capacity of ocean ship navigation, reclamation of lands and Florida canal ; which was read the first time and laid over.

Mr. Ellis presented a petition from citizens of Nodaway county praying for the passage of a township law ; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Pepper presented a petition from J. Herndon Ledbetter, praying for the passage of a law requiring parties marrying to take out license ; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Leave of absence was granted to Mr. Hubbard for eight days.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 33, entitled In relation to the revision of the Statutes of the State of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Under a suspension of the rules, House joint and concurrent resolution No. 33, entitled Joint and concurrent resolution in relation to the revision of the Statutes of the State of Missouri ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Anderson, Arnold, Ballew, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Freed, Gray, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lou-

than, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—109.

NOES—Messrs. Alldridge, Andrews, Beckner, Dade, Ingram, McKinney and Whitaker—7.

ABSENT—Messrs. Bashaw, Booth, Brady, Brown, Burford, Burrows, Dilley, Finks, Hall, Miles, McCormick of St. Louis city, Organ, Pepper, Pollock, Reynolds, Swank, Tiernan, Vancleve, Wells and Wisby—20.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

The title of the resolution was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Freed presented a petition from citizens of Benton county, praying for the reduction of salaries of State and county officers; which was read, and, on motion, referred to the Committee on Retrenchment and Reform.

The Speaker laid before the House a petition from citizens of Holt county, protesting against the passage of a general fish law; which was read, and, on motion, referred to the Committee on Agriculture.

The Speaker laid before the House the report of the eighth annual reunion of the first Illinois association of veterans of the Mexican war, was held at the Hendee House, Bushnell, Tuesday, Feb. 4, 1879; which was read, and, on motion, referred to the Committee on Federal Relations.

Mr. Knight presented a petition from citizens in Harrison county, praying for the enactment of such laws as will prohibit the manufacture of intoxicating liquors in this State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Harrington presented a petition from citizens of Adair county, praying the General Assembly to submit to a vote of the people an amendment to the Constitution of the State entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which

was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Cloud presented a petition from citizens of Livingston county, praying for the enactment of a township law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Gwynne presented a petition from citizens of Webster county, praying the General Assembly to support the bill introduced by Mr. Gwynne in relation to the sale of intoxicating liquors by druggists; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Warren presented a petition from citizens of Saline county, praying the General Assembly to submit to a vote of the people an amendment to the Constitution of the State entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Patterson of Schuyler introduced bill No. 413, entitled An act directing the State Auditor to audit a bill of criminal costs in favor of Dr. N. Jewitt, circuit clerk of Schuyler county; which was read the first time and laid over.

Mr. Talbot introduced bill No. 414, entitled An act to prevent the destruction of timber on non-resident lands; which was read the first time and laid over.

Mr. Carroll introduced bill No. 415, entitled An act to amend section 5 of chapter 100 of the General Statutes, concerning weights and measures; which was read the first time and laid over.

Mr. Lackland introduced bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of error in civil cases, and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172 of title 34 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 35 of article 13, of chapter 110 of Wagner's Statutes of Missouri; which was read the first time and laid over.

Mr. Dryden introduced bill No. 417, entitled An act to amend sections 2, 3 and 5 of article 1 of chapter 82 of Wagner's Statutes; which was read the first time and laid over.

Mr. Dryden introduced bill No. 418, entitled An act concerning the taxation of fees by clerks and justices of the peace; which was read the first time and laid over.

Mr. Campbell of Atchison introduced bill No. 419, entitled An act to prevent swine from running at large; which was read the first time and laid over.

Mr. Brady introduced bill No. 420, entitled An act to protect horseshoers; which was read the first time and laid over.

Mr. Warren introduced bill No. 421, entitled An act to abolish the office of Adjutant-General; which was read the first time and laid over.

Mr. Cowan of Holt introduced bill No. 422, entitled An act to amend section 8 of chapter 114 of the General Statutes, entitled of divorce, alimony and custody of children; which was read the first time and laid over.

Mr. Cowan of Holt introduced a concurrent resolution entitled Concurrent resolution to submit an amendment to section 2 of article 8 of the Constitution of the State of Missouri, entitled of suffrages and elections; which was read the first time and laid over.

The resolutions and amendments offered on yesterday in relation to the discharge of all committee clerks, were taken up. Mr. Harrington moved to indefinitely postpone the resolution and amendments.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Brady, Campbell of St. Louis city, Carroll, Cooper, Craig, Dilley, Farr, Foster, Hayes, Hall, Ham, Hammons, Harrington, Haynes, Harrigan, Johnson, Kendall, Kneisley, Lackland, Louthan, Mott, Mudd of Lincoln, O'Malley, Phelan, Pollock, Ragan, Saunders, Smith of St. Louis city, Tevis and Weygandt—30.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Freed, Gray, Gwynne, Hale, Harrison, Helm, Ingram, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, McIntyre, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Spring, Talbot, Taylor, Turner, Waggener, Warren, Wells, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—93.

ABSENT—Messrs Booth, Bryan, Burrows, Cloud, Cock, Ewing, Finks, Mahn, McCormick of St. Louis city, Swank, Tiernan, Vancleve and Wisby—13.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

Mr. McIntyre moved that the resolution and pending amendments be referred to the Committee on Retrenchment and Reform, with instructions to report to this House what standing committees of the House are in actual need of the services of a clerk; which was agreed to.

House bill No. 387, entitled An act to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum; was called up, read the second time, and, on motion, referred to the Committee on Asylums.

House bill No. 388, entitled An act to amend part or subdivision eleventh of section one of an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 389, entitled An act regulating the fees of witnesses; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 390, entitled An act to amend section eleven of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 391, entitled An act in relation to pawnbrokers; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 392, entitled An act to amend chapter 63 of the General Statutes of the State of Missouri, entitled of railroad companies, the same being article 2 of chapter 37 of Wagner's Missouri Statutes, by adding a new section thereto; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 393, entitled An act to prohibit the shooting at, trapping or killing of wild geese after sunset; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 394, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities,

towns and villages, approved April 26, 1877; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 395, entitled An act amendatory of section 1 of chapter 68 of Wagner's Missouri Statutes of 1872, concerning homesteads; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 396, entitled An act to provide a uniform system for cancelling county warrants; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 397, entitled An act to enable counties, cities, towns and townships to fund their bonded and other indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 398, entitled An act to provide the ways and means to rebuild the State Lunatic Asylum No. 2; was called up, read the second time, and, on motion, referred to the Committee on Asylums.

House bill No. 399, entitled An act to preserve the public school funds of cities and towns of this State; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 400, entitled An act to amend an act entitled an act to regulate the fees of Collectors of the State and county revenue, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 401, entitled An act to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum, approved March 28, 1872; was called up, read the second time, and, on motion, referred to the Committee on Asylums.

House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of Missouri, entitled of the Supreme Court; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 403, entitled An act to change the name of St. Louis county to the name of Meramac county; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 405, entitled An act to enable cities, incorporated towns, villages and school districts to collect delinquent taxes and to enforce the lien for such taxes, given by section 181 of the act of 1872, concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 406, entitled An act to amend section 3 of an act entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, approved March 26, 1874; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 407, entitled An act to prevent swine from running at large in those counties which by a majority vote may decide to agree thereto; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 408, entitled An act to appropriate money for the payment of Daniel Baldrige, of Sullivan county, for outstanding Union Military Bonds, and the interest due thereon; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 409, entitled An act to authorize the issue of currency bonds in renewal of existing bonds of this State, which cannot be paid at maturity out of the sinking fund or other resources, and to declare certain bonds matured and subject to redemption; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 410, entitled An act to repeal an act entitled an act to create an insurance department, approved March 4, 1869; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 411, entitled An act to amend an act entitled life insurance; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 412, entitled An act declaring it a felony to steal or take timber without the owner's knowledge or consent; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House concurrent resolution No. 32, entitled Concurrent resolution memorializing Congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from State courts to the circuit courts of the United States; was called up, read the sec-

ond time, and, on motion, referred to the Committee on Federal Relations.

House concurrent resolution No. 34, entitled Concurrent resolution in regard to the revision of the statutes of the State of Missouri, in pursuance of the requirements of the Constitution of the State; was called up, read the second time, and, on motion, referred to Committee on Constitutional Amendments.

House concurrent resolution No. 35, entitled Joint and concurrent resolution providing for the appointment of a committee to visit Macon county to examine into inducements offered for the location of an insane asylum there; was called up, read the second time, and, on motion, referred to the Committee on Insane Asylums.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms or portion of the public school building in said city as are not necessary for public school purposes, to the board of directors of the Northwest Missouri Normal School of said city, in which the concurrence of the House is respectfully requested; which was read.

Mr. McCormick of St. Louis city introduced bill No. 423, entitled An act to provide for the appointment of inspectors of election in certain cases; which was read the first time and laid over.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 364, entitled An act to repeal an act entitled an act in relation to justices of the county court in St. Louis county, approved March 25, 1868, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 364, entitled An act to repeal an act entitled an act in relation to justices of the county court in St. Louis county, approved March 25, 1868; was taken up and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845, beg leave to report that they have

considered the same, and report it back to the House without recommendation; which was read.

House Bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845; was taken up and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3d, 1857, and acts supplementary thereto and amendatory thereof; was called up and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report;

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 366, entitled An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831; and also an act entitled an act to provide for the support of the poor of St. Louis county, approved March 1, 1855, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 366, entitled An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12th, 1831, and also an act entitled an act to better provide for the support of the poor in St. Louis county, approved March 1, 1855; was taken up and ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12th, 1849, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12, 1849; was taken up and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bills No. 233, 268 and 158, entitled, respectively, An act to amend section two of an act entitled an act to prevent the destruction of fish; An act to amend an act entitled an act to prevent the destruction of fish; and An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor, beg leave to report that they have considered the same, and report the substitute herewith submitted without recommendation; which was read.

House bills Nos. 233, 268 and 158, entitled, respectively, An act to amend section two of an act entitled an act to prevent the destruction of fish; An act to amend an act entitled an act to prevent the destruction of fish; and An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor; were taken up with substitute submitted by the Committee on Agriculture. On motion, the substitute was ordered printed for information.

Substitute for House bill No. 12, entitled An act for the better protection of the State school fund; was taken up.

On motion, the vote by which the bill was ordered to engrossment and printing was reconsidered, and the bill recommitted to the Committee on Ways and Means.

Substitute for House bill No. 32, entitled An act to repeal the act of the General Assembly on pages 903 and 904 of the General Statutes of Missouri, entitled of indians, approved March 13, 1866; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Gray, Gwynne, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney,

O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Vancleve, Waggener, Warren, Wells, Whitaker, Wiley, Withers, Younger and Mr. Speaker—111.

NOES—Messrs. Burford, Dade, Dale, Ewing, Freed, Hayes, McKill, Palmer, Pollard, Taylor, Turner, Weygandt and Windes—13.

ABSENT—Messrs. Booth, Burrows, Campbell of Atchison, Chenoweth, Cock, Dawson, Helm, Ingram, Manistre, Pollock, Swank and Wisby—12.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Saunders moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 48, entitled An act to amend an act entitled an act for the repayment of purchase money by counties in cases of erroneous sales of swamp lands by said counties, also to correct erroneous patents and records of the same, and to provide for transferring said records to the office of the Recorder of Deeds and Conveyances; was taken up. On motion, the vote by which the bill was ordered engrossed and printed was reconsidered, and the bill recommitted to the Committee on Swamp Lands.

House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus, between the parent of such minor and any person not the parent, approved March 15, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Berryman, Bohannon, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Diercks, Dodson, Dougherty, Drum, Dryden, Farr, Finks, Gray, Gwynne, Hayes, Hale, Ham, Haynes, Harrigan, Harrington, Harrison, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Mackey, Mahn, Maynard, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, McKill, McKinney, O'Malley, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis,

Tiernan, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—93.

NOES—Messrs. Arnold, Bashaw, Brady, Brewer, Campbell of St. Louis city, Cowan of Christian, Dade, Dale, Dawson, Dilley, Ellis, Ewing, Foster, Freed, Hammons, Ingram, Knight, Lockhart, Louthan, Lynn, Mabrey, Manistre, Miles, Morrison, Mott, McCormick of St. Louis city, McDaniel, McElvain, Organ, Palmer, Pehle, Rawlings, Riley, Smith of Cedar, Warren, and Wisby—36.

ABSENT—Messrs. Booth, Burrows, Creager, Crowther, Hall, Pollock and Swank—7.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Patterson of Linn offered the following resolution :

WHEREAS, The 22d day of February, being Washington's birth day, therefore be it resolved, that in accordance with custom and honor of the event, the Adjutant-General be instructed to cause a salute of thirteen guns to be fired, to-morrow at 12 o'clock (meridian), and that when this House adjourn, it do adjourn until Monday morning next, at 9 o'clock; which was read and adopted.

House bill No. 108, entitled An act to regulate and limit the compensation of clerks of county courts; was taken up.

Mr. Taylor moved that the vote by which the bill was ordered engrossed and printed, be reconsidered, and the bill be recommitted to the Committee on Retrenchment and Reform.

Mr. Campbell of St. Louis city made the point of order that the bill having been ordered to engrossment and printing on the 1st day of February, the motion to reconsider the vote by which the bill was ordered to engrossment and printing, was in contravention of section 23, article 7 of the rules of the House, which provides that when a motion has once been made and carried in the affirmative or negative, it shall be in order for any member who voted on the side which prevailed to move a reconsideration thereof on the same day or within three days, but not thereafter, nor at any time after the paper on which the vote passed is out of the possession of the House, or the vote shall have been communicated to the Senate.

The Speaker ruled the point of order not well taken, whereupon Mr. Campbell appealed from the decision of the Chair.

The question being, "Shall the decision of the Speaker stand as the decision of the House?" it was decided in the affirmative.

The ayes and noes being demanded, upon the motion to reconsider and recommit, it did not prevail, by the following vote :

AYES—Messrs. Bashaw, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Cooper, Cowan of Holt, Craig, Crow, Dawson, Dilley, Dryden, Ellis, Farr, Finks, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Knight, Lackland, Louthan, Mahn, Manistre, Maynard, Moler, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, Pehle, Phelan, Pollock, Pollard, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Taylor, Tiernan, Turner, Wiley, Windes, Wisby and Mr. Speaker—58.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berryman, Bohannon, Bonham, Boulware, Brown, Burford, Campbell of St. Louis city, Chenoweth, Chitwood, Coleman, Collins, Cook, Cowan of Christian, Cox, Creager, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ewing, Freed, Gray, Hale, Harrison, Helm, Ingram, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Morrison, Mudd of Lincoln, McDaniel, McGarry, McIntyre, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pepper, Powell, Price, Reynolds, Smith of Cedar, Spring, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Withers and Younger—66.

ABSENT—Messrs. Booth, Brady, Burrows, Crowther, Foster, Johnson, Mudd of St. Louis, O'Malley, Palmer, Vancleve and Waggener—11.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Messrs. Adams and Swank—2.

The bill was then read the third time and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Berryman, Bohannon, Bonham, Boulware, Brown, Burford, Campbell of Atchison, Chenoweth, Chitwood, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ewing, Freed, Gray, Hale, Harrison, Helm, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pollard, Powell, Powers, Price, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Tevis, Turner, Warren, Wells, Whitaker, Windes, Withers and Younger—72.

NOES—Messrs. Arnold, Bashaw, Bowman, Brewer, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chilton, Cloud, Cock, Cooper, Cowan of Holt, Cox, Crow, Dilley, Dryden, Ellis, Farr, Finks, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Kendall, Lackland, Mahn, Maynard, Moler, Mott, McCormick of St. Louis city, McGarry, Pehle, Phelan, Pollock, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Taylor, Tiernan, Weygandt, Wiley, Wisby and Mr. Speaker—50.

ABSENT — Messrs. Booth, Brady, Burrows, Crowther, Dawson, Foster, Johnson, Mudd of St. Louis, O'Malley, Palmer, Pepper, Swank, Vancleve and Waggener—14.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bonham introduced bill No. 424, entitled An act to establish a Board of Immigration and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes and all acts amendatory thereto; which was read the first time and laid over.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 12, entitled Concurrent resolution requesting the Representatives, and instructing the Senators in the Congress of the United States from this State, to take action concerning national finances, beg leave to report that they have considered the same, and recommend that it do not pass, for the following, amongst other reasons:

First—That the author of the resolution appeared before the committee at its last meeting, and requested and insisted that it be reported to the House without delay, as an entirety, and without amendment or substitute, either favorably or unfavorably; and while the committee, under proper circumstances, would favor a portion of the resolution, yet, as there is much contained therein, which is decidedly objectionable, the committee found no other alternative left them, in deference to the wishes of the author, than to report upon the resolution as originally drawn, and, on account of the objectionable features thereof, and for other reasons, to report adversely.

Second—That before the resolution could be adopted by the House and Senate, and forwarded to our Senators and Representatives

in Congress, the present Congress will have approached too near its close for any of the legislation therein contemplated to be enacted ; and as the members of the next Congress will be as fresh from the people as we ourselves are, and will understand the popular wants quite as well, having been elected upon a thorough canvass of the identical issues contained in the resolution, we do not feel that we would be justified by our own sense of duty, by our constituents or by the best interests of the State in recommending the passage of this resolution.

Seventh—It is objectionable, in that it demands an amendment to the Constitution of the United States, prohibiting the Government from ever issuing any bonds or other evidences of indebtedness without first obtaining authority therefor by a vote of the people ; which, in a sudden emergency, as in case of war, would be out of the question.

Eighth—It is objectionable, in that it demands an amendment to the Constitution of the United States, fixing the per capita of paper circulation at \$50.00 for the entire population of the country—an inflation which would be ruinous to all business interests, and a policy, which it would be unwise to engraft upon our organic law, even if the volume of currency were not too great, in the fact, that the amount of money to be kept in circulation, if regulated at all, should be regulated according to the demands of trade, and not according to the number of the inhabitants in the country.

Ninth—It is objectionable, in that it is inconsistent within itself, for if the resumption act is repealed, the two and one-half billions of greenbacks would be irredeemable paper, and, therefore, there would be no necessity for either gold or silver coin, hence, why demand the unlimited coinage of silver, or any coinage at all ? Why not issue a sufficient further volume of the irredeemable paper to equal the amount of all the silver likely to be coined in the United States, and thereby render the coinage of silver unnecessary ?

Tenth—The resolution is objectionable as a whole ; and it is objectionable in many points, and for many reasons which the committee have not pointed out in this report ; therefore, the committee have recommended that it do not pass ; which was read.

House concurrent resolution No. 12, entitled Concurrent resolution memorializing Congress to take action in relation to national finances ; was taken up.

Mr. McDaniel moved that the resolutions be indefinitely postponed.

On motion of Mr. Arnold, the previous question was ordered.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Arnold, Ballew, Bashaw, Berryman, Bonham, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrigan, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Younger and Mr. Speaker—93.

NOES—Messrs. Alldridge, Anderson, Andrews, Beckner, Bohannon, Boulware, Brown, Burford, Cloud, Cowan of Christian, Creager, Dade, Dilley, Gray, Harrison, Ingram, Johnson, Knight, Larimore, Manistre, McElvain, McKinney, Powell, Reynolds, Spring, Talbot, Whitaker and Withers—28.

ABSENT—Messrs. Booth, Brady, Burrows, Chilton, Crowther, Foster, Harrington, Mott, Mudd of St. Louis, O'Malley, Palmer, Pepper, Swank, Vancleve and Waggener—15.

ABSENT WITH LEAVE—Messrs. Berry, Davis, Greer, Hubbard, Hynes and Souder—6.

SICK—Mr. Adams—1.

Mr. Younger moved to reconsider the vote by which the previous question was ordered.

Mr. Farr moved to lay the motion on the table; which was agreed to.

Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation; was called up, and read the first time.

Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the 24th judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections, to be known and numbered sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; was called up, and read the first time.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount

of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was called up and read the first time.

Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City; was called up and read the first time.

Senate joint and concurrent resolution No. 5, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to procure, if possible, the enactment of a law, or the submission of a constitutional amendment, to prevent the Federal Courts from exercising or assuming jurisdiction in causes wherein any county or other subdivision of a State is or shall be a party; was called up and read the first time.

Senate bill No. 161, entitled An act authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the United States, whose fees are to be paid out of the amounts collected; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15 of the General Statutes, concerning the State Library, and repealing all acts and parts of acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Library.

The Speaker announced that he had placed Mr. Helm upon the Committee on Local Bills and Swamp Lands, vice Mr. Long, deceased.

Leave of absence was granted Mr. Riley for two days.

Leave of absence was granted the Committee on University for one week, from Monday next.

On motion of Mr. Louthan, the House adjourned until Monday morning at 9 o'clock.

THIRTY-SEVENTH DAY—MONDAY, February 24, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Leave of absence was granted the Treasury Investigating Committee for one day.

Leave of absence was granted Mr. Warren for one day.

Leave of absence was granted Mr. Chitwood for four days.

Leave of absence was granted Mr. Boulware for one day.

Leave of absence was granted Mr. Pehle for one day.

Leave of absence was granted Mr. Freed for four days.

Mr. Souder was reported sick.

Leave of absence was granted Mr. O'Malley for three days.

Leave of absence was granted Mr. Smith of Cedar for five days.

Leave of absence was granted Mr. Carroll for four days.

Leave of absence was granted Mr. Mudd of Lincoln for four days.

Leave of absence was granted Mr. Larimore for one day.

Leave of absence was granted Mr. Burrows for seven days.

Leave of absence was granted Mr. Tevis for one day.

Leave of absence was granted Mr. Vancleve for one day.

Mr. Withers presented a petition from citizens of Knox county, praying for the passage of a law reducing the rate of interest to six per cent., and prohibiting compound interest in any case; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Ragan presented a petition from Jackson county, praying the Legislature to submit to a vote of the people an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Carleton presented a petition from citizens of Caruthersville, Pemiscot county, praying the Legislature to submit to the voters of the State, a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Spring presented petitions from citizens of Cass county, representing that they are in favor of a system of Township Organiza-

tion similar to that existing in Illinois and other States, and praying the Legislature to provide, by suitable legislation, for such a system of municipal government by the people; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Cloud presented a petition from citizens of Livingston county, praying for the passage of a law to restrain breachy stock; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Belch offered the following resolution :

WHEREAS, It is the duty, as well as the desire of this General Assembly, to revise, digest and promulgate the statute laws of this State of a general nature, both civil and criminal, as well as the acts of the General Assembly of a general nature, and as there would seem to be a mistaken notion of our duties pertaining to the manner of performing the same; therefore, be it

Resolved, That it is the sense of this House that the words, "revision" and "digest," as used in the Constitution, means to arrange, to put in order the laws of a general nature, and that, therefore, it is unnecessary, a great waste of time, and an unwarrantable expenditure of money to introduce and caused to be printed and passed statutes and acts which are already laws. Many sections and chapters and articles, when there are no amendments or alterations sought, and therefore the respective committees to whom bills of this character are referred, to report substitutes for all bills when the whole chapter, or article, or any part thereof, not proposed to be amended, is incorporated in the bill, to eliminate from said bill all the parts to which there is no amendments; which was read, and, on motion, laid over until to-morrow.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE, }
JEFFERSON CITY, Feb. 21, 1879. }

To the Speaker of the House :

SIR:—I return to the House, with my approval indorsed thereon, An act entitled an act to amend section 149 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, the same being article 2 of chapter 118 of Wagner's Statutes.

Very respectfully,
JOHN S. PHELPS.

Which was read.

Mr. Wells introduced bill No. 425, entitled An act to amend section 8 of an act entitled inspection of petroleum, approved March 24, 1870; which was read the first time and laid over.

Mr. Cloud introduced bill No. 426, entitled An act to amend sections 1, 2, 3, 4 and 5 of an act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, approved March 27, 1874, and to repeal acts or parts of acts inconsistent herewith; which was read the first time and laid over.

Mr. Cox introduced bill No. 427, entitled An act to amend section 3 of chapter 200 of the General Statutes of the State of Missouri, entitled of offenses against the lives and persons of individuals, the same being section 3 of article 2 of chapter 42 of Wagner's Statutes; which was read the first time and laid over.

Mr. Cox introduced bill No. 428, entitled An act to protect contractors and laborers in their claims against persons, railroad companies or corporations, contractors or sub-contractors, for wages due or services performed by them; which was read the first time and laid over.

Mr. Wells introduced bill No. 429, entitled An act to license dealers in tobacco and cigars; which was read the first time and laid over.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to which was referred the resolution in regard to what standing committees of the House should be allowed to retain their clerks, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted, be adopted:

Resolved, 1st. That the Committees on Banks and Corporations, Accounts, Retrenchment and Reform and Agriculture, be allowed to retain their clerks as originally provided for.

2d. That the clerk of the Committee on Federal Relations, Roads and Highways and Education, be retained;

3d. That the clerk of the Committees on Criminal Jurisprudence and Penitentiary, act also as clerk for the Committee on Railroad Indebtedness;

4th. That the clerk of the Committee on Judiciary, act also as clerk for the Committee on Claims;

5th. That the clerk of the Committee on Ways and Means, act also as clerk for the Committee on Internal Improvements and Committee on Insurance;

6th. That the clerk of the Committee on St. Louis Delegation, act also as clerk for the Committees on Militia and Justices of the Peace;

7th. That all other committee clerks, at present employed by this House, be immediately discharged; which was read.

Mr. Davis offered the following substitute :

Resolved, That all the committee clerks be discharged from and after this date ; which was read.

On motion of Mr. McCormick of St. Louis city, the previous question was ordered.

The ayes and noes being demanded, the substitute was not agreed to, by the following vote :

AYES—Messrs. Alldridge, Arnold, Berryman, Bowman, Brady, Coleman, Cowan of Christian, Dade, Davis, Dawson, Drum, Ellis, Harrington, Helm, Ingram, Knight, Miles, McCormick of Washington, McCormick of St. Louis, McIntyre, McKinney, Organ, Pollock, Spring, Swank, Turner and Wisby—27.

NOES—Messrs. Adams, Anderson, Ballew, Bashaw, Beckner, Bohannon, Bonham, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Diercks, Dodson, Dougherty, Dryden, Farr, Finks, Gray, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Hubbard, Johnson, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, McDaniel, McElvain, McGarry, McKill, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of St. Louis city, Wells, Windes, Withers and Younger—67.

ABSENT—Messrs. Andrews, Campbell of St. Louis city, Chilton, Cloud, Cock, Crowther, Dale, Dilley, Ewing, Foster, Hall, Harrison, Kendall, Louthan, Moler, Powell, Talbot, Waggener, Weygandt, Whitaker and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Berry, Booth, Boulware, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Riley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Warren and Wiley—25.

SICK—Messrs. Burrows, Carroll and Souder—3.

The question recurring on agreeing to the report of the committee,

The ayes and noes were demanded, and the report was agreed to by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Bonham, Bowman, Brewer, Bryan, Burford, Chenoweth, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Farr, Gray, Hayes, Hale, Hammons, Harrington, Harrison, Helm, Ingram, Johnson, Knight, Lesueur, Lockhart,

Lynn, Mabrey, Mackey, Mahn, Morrison, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Linn, Patterson of Schuyler, Pollard, Powers, Price, Reynolds, Settles, Spring, Turner, Wells, Whitaker, Windes, Withers and Younger—69.

NOES—Messrs. Berryman, Bohannon, Brady, Carleton, Davis, Dryden, Finks, Gwynne, Ham, Harrigan, Lackland, Manistre, Maynard, McCormick of St. Louis city, McGarry, Organ, Phelan, Pollock, Powell, Ragan, Smith of St. Louis city and Wisby—22.

ABSENT—Messrs. Arnold, Campbell of Atchison, Campbell of St. Louis, Chilton, Cloud, Cock, Crowther, Dale, Dilley, Ewing, Foster, Hall, Haynes, Hubbard, Kendall, Louthan, Miles, Moler, Pepper, Swank, Talbot, Waggener, Weygandt and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Berry, Booth, Boulware, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Riley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Warren and Wiley—25.

SICK—Messrs. Burrows, Carroll and Souder—3.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 302, entitled An act to regulate rates of fare to be charged by street car companies, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 302, entitled An act to regulate rates of fare to be charged by street car companies; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 90, entitled An act to compel railroad companies to give receipts for freight, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 90, entitled An act to compel railroad companies to give receipts for freight; was taken up.

Mr. Dade offered the following amendment: Amend by striking out word "car" in seventh line and insert "grain, substance or material;" which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Ballew, Bashaw, Beckner, Burford, Chenoweth, Cloud, Collins, Cowan of Christian, Creager, Dade, Diercks, Dougherty, Gray, Harrington, Harrison, Ingram, Johnson, Knight, Miles, McCormick of St. Louis city, McElvain, McKinney, Palmer, Pepper, Powell, Powers, Reynolds, Wells, Whitaker, Withers and Younger—33.

NOES—Messrs. Adams, Arnold, Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dodson, Drum, Dryden, Ellis, Farr, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Helm, Kendall, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Phelan, Pollock, Pollard, Price, Ragan, Settles, Smith of St. Louis city, Spring, Swank, Turner, Weygandt, Windes and Wisby—63.

ABSENT WITH LEAVE—Messrs. Berry, Booth, Boulware, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of St. Louis, Mudd of Lincoln, O'Malley, Pehle, Rawlings, Riley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Warren and Wiley—25.

ABSENT—Messrs. Anderson, Bonham, Campbell of St. Louis city, Chilton, Cock, Crowther, Dale, Dilley, Ewing, Finks, Foster, Hall, Hubbard, Lesueur, Louthan, Moler, Talbot, Waggener and Mr. Speaker—19.

SICK—Messrs. Burrows, Carroll, Souder—3.

The question recurring on the engrossment and printing of the bill, the ayes and noes were demanded, and the House refused to order the bill to engrossment and printing, by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Burford, Chenoweth, Cowan of Christian, Dade, Dryden, Gray, Harrigan, Harrington, Harrison, Ingram, Johnson, Knight, Miles, Morrison, McElvain, McKinney, Pepper, Powell, Powers, Reynolds, Whitaker, Withers and Younger—28.

NOES—Messrs. Anderson, Arnold, Ballew, Bashaw, Berryman, Bonham, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Davis, Dawson, Diercks, Dodson, Drum, Ellis, Farr, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Helm, Kendall, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollock,

Pollard, Price, Settles, Smith of St. Louis city, Spring, Swank, Turner, Wells, Weygandt, Windes and Wisby—69.

ABSENT WITH LEAVE—Messrs. Berry, Booth, Boulware, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Riley, Saunders, Taylor, Tevis, Tiernan, Vancleve, Warren and Wiley—24.

SICK—Messrs. Burrows, Carroll and Souder—3.

ABSENT WITHOUT LEAVE—Messrs. Chilton, Cock, Crowther, Dale, Dilley, Dougherty, Ewing, Finks, Foster, Hall, Hubbard, Lesueur, Louthan, Moler, Smith of Cedar, Talbot, Waggener and Mr. Speaker—19.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children ; also,

Substitute for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife, and rights of married women ; also,

Senate bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and how to conform the same to the changes wrought by section 23, article 9 of the Constitution, and to add an additional section thereto, to be known as section 14 ;

Also, Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled An act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872 ;

Also, Senate bill No. 188, entitled An act relating to the compensation of collectors of revenue in cities having a population of over three hundred thousand inhabitants ;

Also, Senate bill No. 238, entitled An act to provide for issuing duplicate State bonds or coupons, for past due bonds or coupons lost, destroyed or stolen, or a warrant on the State treasury in lieu of said duplicate bonds or coupons ; in which the concurrence of the House is respectfully requested ; which was read.

Mr. Belch, the Speaker (Mr. Farr in the chair), rose to a privileged question. He read from the proceedings of the Greenback caucus, held last Saturday night, in which he was charged with unfair ruling in connection with the rejection of the "Knight resolutions." He said that he was accused of a violation of duty in not taking the ayes

and noes on a motion to reconsider the vote ordering the previous question, when those resolutions were before the House. He greatly regretted to learn that anybody had taken offense at his ruling on that occasion. He referred particularly to the fourth resolution of Saturday night's caucus. The motion of the gentleman from St. Clair to reconsider, could have no reference except to the vote by which the previous question was ordered. It might not have been understood by the mover, but under plain parliamentary law it was the only motion of that nature which could be entertained. The motion to reconsider, as I have already stated, referred to the main question. It was clearly out of order to make such a motion, because the vote to indefinitely postpone had been commenced. It was a final execution of the order of the House. It was a consummation of the order for the previous question. Mr. Belch cited authorities in support of his position. He stated, in conclusion, that as Speaker of the House, he had carefully watched over the rights of the minority. He intended to always see that they had their full privileges, and in this he fairly represented the majority. It was neither his, nor their inclination, to take any advantage.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriages and marriage contracts, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriages and marriage contracts; was taken up.

Mr. Lackland moved to postpone the further consideration of the bill until next Friday, at 10½ o'clock A. M., and that 200 copies be printed for the use of the House; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred Substitute for House bills Nos. 2 and 20, entitled An act to regulate the rate of interest, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred House bill No. 205, entitled An act to amend section 23, chapter 56 of Wagner's Statutes, in relation to fees in the office of Secretary of State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred Substitute for House bills Nos. 130, 116, 172 and 167, entitled An act to regulate the compensation of members of the General Assembly, and their officers and employes, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 328, entitled An act to repeal an act entitled an act to regulate the fees of grand and petit jurors and of witnesses in St. Louis county, approved March 5, 1855, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred House bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved Feb. 20, 1865, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 270, entitled An act providing for the election of the Commissioner of Permanent Seat of Government, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailor of St. Louis county, approved February 15, 1865; and also an act entitled An act concerning the common jail and jailor thereof in St. Louis county, approved February 27, 1866, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 279, entitled An act to punish cheats, tricks, deceptions, false and fraudulent representations, statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments, coins and metals, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 13, for the amendment of section 12 of article 2 of the Constitution, beg leave to report that they have considered the same, and recommend that it be not adopted. Further your committee was asked by the mover of the resolution to express its opinion upon the question whether the adoption of the resolution would in anywise conflict with the Constitution of the United States. We have considered the question,

and in response give it as our opinion that no such conflict would result; which was read.

House joint and concurrent resolution No. 13, entitled Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the State Constitution, providing that criminals may be proceeded against by indictment or information as may be provided by law; was taken up.

Mr. Collins moved that the further consideration of the resolution be postponed until Thursday, March 6th, and that 200 copies be ordered printed for information of the House; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 116, entitled An act entitled an act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus, between the parent of such minor and any person not the parent, approved March 15, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 61, entitled An act concerning oaths and affirmations, beg leave to report that they have considered the same, and recommend that it do pass, and that it also be referred to your Committee on Revision; which was read.

Senate bill No. 61, entitled An act concerning oaths and affirmations; was taken up, and, on motion, referred to the Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate concurrent resolution No. 8, entitled Concurrent resolution in reference to the copy right of the reports of the decisions.

of the Supreme Court of the United States, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 365, entitled an act fixing compensation of experts testifying in courts of record, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 365, entitled An act fixing the compensation of experts testifying in courts of record; was taken up with substitute recommended by the Committee on Judiciary.

The substitute was agreed to and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 345, entitled An act to repeal an act entitled an act concerning fees and the collection thereof, of justices of the peace, in cities of thirty thousand or more inhabitants, which became a law on the 22d day of March, 1872, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 345, entitled An act to repeal an act entitled an act concerning fees and the collection thereof, of justices of the peace in cities of thirty thousand or more inhabitants, which became a law on the 22d day of March, 1872; was taken up, and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 40, entitled an act to amend section 1 of article 3, chapter 87 of Wagner's Statutes, being section 1 of chapter 195 of the General Statutes of Missouri, entitled liens, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 40, entitled An act to amend section 1 of article 3, chapter 87 of Wagner's Statutes, being section 1 of chapter 195 of the General Statutes of Missouri, entitled liens; was taken up,

On motion of Mr. McDaniel, the further consideration of the bill was postponed until to-morrow.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred your resolution requesting the construction of your committee of section 34, article 4 of the constitution, beg leave to report that they have considered the same, and are of the opinion that the above section of the constitution, is complied with by setting out the section to be amended in full, as it is proposed to amend the same, under an appropriate title; which was read.

Mr. McIntyre from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred your petition concerning the passage of an act to regulate the sale of intoxicating liquors in certain towns or cities, where State educational institutions are located, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Criminal Jurisprudence; which was read and adopted.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred the memorial of divers memorialists, accompanied by a bill entitled An act to regulate the sale of intoxicating liquors in certain towns or cities, where State educational institutions are located, beg leave to report that they have considered the same, and recommend that the whole subject be referred to the Committee on Criminal Jurisprudence; which was read and adopted.

Mr. Wells moved that 200 copies of Senate bill No. 172, be printed for the information of the House.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Andrews, Beckner, Bonham, Burford, Carleton, Cloud, Coleman, Dade, Ellis, Hammons, Ingram, Johnson, Knight, Lockhart, Manistre, Miles, McKinney, Powell, Wells and Withers—20.

NOES—Messrs. Adams, Alldridge, Arnold, Bashaw, Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Chenoweth, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Davis, Diercks, Dodson, Dougherty, Drum, Dryden, Farr, Finks, Gray, Gwynne, Haynes, Hall, Ham, Harrigan, Harrington, Harrison, Helm, Kendall, Lackland, Lesueur, Lynn, Mabrey, Mackey, Mahn, Maynard, Morrison, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Reynolds, Settles,

Smith of St. Louis city, Spring, Swank, Turner, Weygandt, Whitaker, Wisby and Younger—74.

ABSENT—Messrs. Anderson, Ballew, Campbell of St. Louis city, Chilton, Cock, Cowan of Christian, Crowther, Dale, Dawson, Dilley, Ewing, Foster, Hall, Haynes, Hubbard, Louthan, Moler, Talbot, Waggener, Windes and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Berry, Booth, Boulware, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Riley, Saunders, Smith of Cedar, Taylor, Tevis, Tiernan, Vancleve, Warren, Wiley, —25.

SICK—Messrs. Burrows, Carroll and Souder—3.

Mr. Bowman, from the Committee on Mines and Mining, submitted the following report :

MR. SPEAKER : On leave of the House, your Committee on Mines and Mining, visited and inspected the School of Mines and Metallurgy at Rolla, Phelps county, on the 5th and 6th days of this month.

In obedience to custom, and in order to discharge our duty, we beg leave to report as follows :

It is generally known that the School of Mines is a portion of the State University, and as such is entitled to the fostering care of the State ; but little, however, seems to be known of the great and absolute importance of this school to the material interests and welfare of the State, at the present and in the future.

To this view of the case your committee desire to call special attention.

The idea seems to prevail that this school is one where nothing is taught save the details of mining. This opinion is entirely erroneous, and it is our pleasure, as well as duty, to do what we can to correct it. While mining, in its details, is taught, it is but one of the many technical branches supplied by this institution. In brief, the school is one where our sons and daughters can procure the higher English branches, and to that add any or all the scientific acquirements, with a good practical experience in each of them.

Drawing, painting, physical geography, astronomy, surveying, civil engineering, mineralogy, metallurgy are supplied, and analytical chemistry, as applied to mining, is taught in the very best manner.

The teaching, in all the branches, is made eminently practical : the student is fitted for surveying by practice in the field, with all the proper appliances ; he is fitted for duty as mining engineer, by actual observation and study in the mines ; and in the laboratory is taught,

by the use of crucible and reagents, to determine the exact value of the product mined, and the best way to reduce, separate and refine any and all useful and precious metals.

Institutions where young men can fit themselves thoroughly in important technical branches of study are rare and far between on this continent, and for this reason it is the more important that this school receive the support it so richly deserves. Your committee found good reason to honestly commend the corps of teachers now on duty in the school, and to ask for them the recognition, at the hands of the State, they so richly deserve. All are doing their duty conscientiously and well.

For the reason that appropriations exhaust at mid-winter, under the system of applying money as it is now done, your committee advise and recommend that sufficient money be appropriated by this General Assembly to carry the school through the next two and one-half years. By so doing, the winter term need not be interrupted by want of funds, as is now the case.

Your committee recommend that sixteen thousand nine hundred dollars be appropriated for salaries of teachers, and that two thousand and one hundred dollars be appropriated for a contingent expense fund, out of which certain needed repairs can be made to the building, and apparatus and appliances can be bought that are absolutely needed for the proper conduct of the school. All of which is respectfully submitted; which was read.

On motion of Mr. McDaniel, the House adjourned until to-morrow morning at 9 o'clock.

THIRTY-EIGHTH DAY—TUESDAY, February 25th, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Patterson of Linn, the further reading was dispensed with.

Mr. Hammons introduced bill No. 430, entitled An act to repeal an act entitled an act amendatory of the charter of the North Missouri Railroad Company, approved February 18, 1865; which was read the first time and laid over.

Mr. Windes introduced bill No. 431 entitled An act to repeal sections 9, 11, 12 and 13 of chapter 160 of the General Statutes of Missouri entitled of executions, and to insert new sections in said chapter, and to renumber other sections therein; which was read the first time and laid over.

Mr. Windes introduced bill No. 432, entitled An act to repeal an act entitled an act to amend section 32 of chapter 38 of the General Statutes of Missouri, the same being section 32 of article 4 of chapter 40 of Wagner's Missouri Statutes, relating to county treasurers and their duties, approved February 28, 1873; which was read the first time and laid over.

Mr. Windes introduced bill No. 433, entitled An act to amend section 1 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 434, entitled An act to protect shippers of fat hogs and cattle; which was read the first time and laid over.

Mr. Pollard introduced bill No. 435, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and prescribe their powers and duties, approved March 29, 1875; which was read the first time, and 250 copies ordered printed for the information of the House.

Mr. Pollard introduced bill No. 436, entitled An act to provide for refunding the indebtedness of the State, and to reduce the rate of interest thereof, and to enlarge the sinking fund for the ultimate extinction of such indebtedness; which was read the first time and laid over.

Mr. Price offered the following resolution:

Resolved, That in the opinion of this House the rulings of the Speaker on the questions arising on the report of the Committee on Federal Relations on what is known as the Knight resolutions, were strictly in accordance with the parliamentary usages, and are approved by this House; and that we condemn the resolutions passed by the greenback caucus, reflecting upon our Speaker—the only object of which must have been to engender dissention, and reflect alike upon the majority of this House—as unwarrantable and uncalled for; which was read.

The ayes and noes being demanded, the resolution was adopted by the following vote:

AYES—Messrs. Anderson, Arnold, Bashaw, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison,

Campbell of St. Louis city, Carleton, Chenoweth, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Helm, Kendall, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Pollard, Powers, Price, Ragan, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Wells, Weygandt and Windes—77.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Burford, Cloud, Cowan of Christian, Dade, Gray, Harrison, Ingram, Johnson, Knight, McElvain, McKinney, Palmer, Pepper, Powell, Reynolds, Whitaker, Withers and Younger—23.

ABSENT—Messrs. Bonham, Brady, Chilton, Cock, Cowan of Holt, Creager, Crowther, Dilley, Harrigan, Harrington, Hubbard, Lackland, Miles, McCormick of Washington, Phelan, Pollock, Taylor, Tiernan, Waggener, Warren, Wiley, Wisby and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Berry, Brown, Chitwood, Freed, Greer, Hynes, Kneisley, Larimore, Mott, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Saunders, Smith of Cedar and Van-cleve—17.

SICK—Messrs. Burrows, Carroll and Souder—3.

Mr. Moler presented a petition from the Pleasant Gap Grange, Bates county, praying the Legislature to pass a law providing for the erection of work houses in each county, for the confinement of petty convicts, with authority to work them on streets and public highways, and disapproving the whipping post system; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Burford presented a petition from citizens of Cape Girardeau county, praying the Legislature to submit to the voters of this State, a constitutional amendment entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Spring presented a petition from citizens of Cass county, representing that they are in favor of a system of township organization similar to that existing in Illinois and other States, and praying the Legislature to provide suitable legislation for such a system of municipal government by the people; which was read, and, on motion, referred to the Committee on Township Organization.

House bill No. 413, entitled An act directing the State Auditor to audit a bill of criminal costs in favor of D. N. Jewett, circuit clerk

of Schuyler county; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House Bill No. 414, entitled An act to prevent the destruction of timber on non-resident lands; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 415, entitled An act to amend section 5 of chapter 100 of the General Statutes, concerning weights and measures; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of errors in civil cases and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act to amend section 9 of chapter 172 of title 34 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28th, 1871, the same being section 35 of article 13 of chapter 110 of Wagner's Statutes of Missouri; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

House bill No. 417, entitled An act to amend sections 2, 3 and 5 of article 1 of chapter 82 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 418, entitled An act concerning the taxation of fees by clerks and justices of the peace; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 419, entitled An act to prevent swine from running at large; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 420, entitled An act to protect horseshoers; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 421, entitled An act to abolish the office of Adjutant-General; was called up, read the second time, and, on motion, referred to the Committee on Militia.

House bill No. 422, entitled An act to amend section 8, chapter 114 of the General Statutes, entitled of divorce, alimony and custody of children; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 423, entitled An act to provide for inspectors of elections in certain cases; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 424, entitled An act to establish a Board of Immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto ; was called up, read the second time, and, on motion, referred to the Committee on Immigration.

House bill No. 425, entitled An act to amend section 8 of an act entitled inspection of petroleum, approved March 24, 1870 ; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 426, entitled An act to amend sections 1, 2, 3, 4 and 5 of an act entitled an act to regulate the practice of medicine and surgery, in the State of Missouri, approved March 27, 1874, and to repeal acts or parts of acts inconsistent herewith ; was called up, read the second time, and, on motion, referred to the Committee on Scientific and Benevolent Institutions.

House bill No. 427, entitled An act to amend section 3 of chapter 200 of the General Statutes of the State of Missouri, entitled of offenses against the lives and persons of individuals, the same being section 3 of article 2 of chapter 42 of Wagner's Statutes ; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 428, entitled An act to protect contractors and laborers in their claims against persons, railroad companies or corporations, contractors or sub-contractors, for wages due or services performed by them ; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 429, entitled An act to license dealers in tobacco and cigars ; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Mr. Campbell of St. Louis city introduced bill No. 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof manufactured or sold for illuminating purposes in the State ; which was read the first time and laid over.

Senate substitute No. 1 for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri concerning divorce, alimony and custody of children ; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife and rights of married women ; was called up and read the first time.

Senate bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform

the same to the changes wrought by section 23, article 9 of the Constitution, and to add an additional section thereto, to be known as section 14; was called up and read the first time.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up and read the first time.

Senate bill No. 188, entitled An act relating to the compensation of collectors of revenue in cities having a population of over three hundred thousand inhabitants; was called up and read the first time.

Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms or portion of the public school building in said city as are not necessary for public school purposes, to the board of directors of the Northwest Missouri Normal School of said city; was called up and read the first time.

Senate bill No. 238, entitled An act to provide for issuing duplicate State bonds or coupons; was called up and read the first time.

Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney thereof, approved February 1, 1871, and by adding thereto the following new sections, to be known and numbered sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate joint and concurrent resolution No. 5, entitled Joint and concurrent resolution instructing our Senators, and requesting our representatives in Congress to procure, if possible, the enactment of a law, or the submission of a constitutional amendment, to prevent the federal courts from exercising or assuming jurisdiction in causes

wherein any county or other subdivision of a State is or shall be a party; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City, Missouri; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 211, entitled An act concerning the assessment, levy and collection of taxes and the disbursement thereof;

Also, Senate bill No. 55, entitled An act to revise and amend title 10 of the General Statutes of Missouri, relating to public records, and supplying papers and records lost or destroyed;

Also, Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotel and boarding house-keepers' liens, contractors' material, men and laborers' liens, railroads and equitable liens and notices, in which the House is respectfully requested to concur; which was read.

Substitute for House bills Nos. 2 and 20, entitled An act to regulate the rate of interest; was taken up.

Mr. Patterson of Linn moved that the bill be indefinitely postponed.

Pending the discussion on the indefinite postponement of the bill, Mr. Price moved that debate be closed; which was agreed to.

The question recurring on the indefinite postponement of the bill, the ayes and noes were demanded, and the House refused to indefinitely postpone, by the following vote:

AYES—Messrs. Arnold, Berryman, Booth, Brewer, Bryan, Campbell of St. Louis city, Carleton, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Dodson, Dougherty, Dryden, Ellis, Farr, Foster, Gwynne, Hale, Hall, Ham, Haynes, Helm, Kendall, Louthan, Mabrey, Mahn, Manistre, Maynard, Mott, McCormick of St. Louis city, McDaniel, McGarry, McKill, Organ, Patterson of Linn, Phelan, Pollock, Powers, Price, Ragan, Riley, Smith of St. Louis city, Swank, Taylor, Tevis, Tiernan and Mr. Speaker—50.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Bohannon, Bonham, Boulware, Bowman, Brady, Brown, Burford, Campbell of Atchison, Chenoweth, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Drum, Ewing, Finks, Gray, Hayes, Hammons, Harrington, Harrison, Ingram, Johnson, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mackey, Miles, Morrison, McElvain, McIntyre, McKinney, Palmer, Pepper, Pollard, Powell, Reynolds, Saunders, Settles, Spring, Talbot, Turner, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Younger—66.

ABSENT—Messrs. Chilton, Cock, Dilley, Harrigan, Hubbard, Moler, McCormick of Washington, Patterson of Schuyler, Waggener, Warren and Wisby—11.

ABSENT WITH LEAVE—Messrs. Berry, Chitwood, Freed, Greer, Hynes, Kneisley, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Pehle, Rawlings, Smith of Cedar and Vancleve—13.

SICK—Messrs. Burrows, Carroll and Souder—3.

Mr. Burford moved that further consideration of the bill be postponed until Tuesday, March 4th; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

Mr. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was taken up, with the accompanying amendments recommended by the Committee on Ways and Means.

On motion, the further consideration of the bill and amendments was postponed until to-morrow morning at 10 o'clock.

Mr. Taylor, from the Special Committee, appointed to investigate the affairs of the State Treasury, submitted the following report, together with the accompanying resolution:

Mr. SPEAKER: Your committee to whom was referred the special work of examining into the affairs, management and present condition of the State Treasury, beg leave to make the following report:

We do not undertake to go into any extended recital of the facts brought out in the testimony of the various witnesses called before us, deeming it best to append all the testimony, which is voluminous, to this report, and make it a part of the same. We visited the

cities of Kansas, St. Joseph, St. Louis and Warrensburg, calling before us all witnesses who could be reached by the process of the committee, who were supposed to have any information on the matters sought to be touched upon in the investigation. We examined very carefully the books of the Mastin Bank, the Bank of St. Joseph, the National Bank of the State, First National Bank at Warrensburg and the National Exchange Bank of Jefferson City, these being the banks, and the only banks so far as we could learn, in which any funds of the State had been deposited, either directly or indirectly. In coming to the conclusion which we reach and hereinafter set out, your committee felt justified in taking the moral rather than the legal effect of the statements made by the various witnesses before them. Combinations between men made for unlawful purposes, if made at all, and especially among shrewd and careful persons, are generally most cautiously entered into, and protected from scrutiny as far as at all possible. We soon realized the fact after commencing our labors, that upon the most important matters sought to be investigated, we could not hope for any display of frankness upon the part of those most concerned; especially was this most noticeable in Col. Gates, and Col. James N. Burnes. In many of the most vital parts of these transactions, occurring but little more than two years since, and about which so much has been said and intimated, many of these gentlemen entrenched themselves behind the plea of lack of remembrance or positive knowledge, and to a very great degree prevented the committee from realizing that certainty in their work, so much desired by them and the good people of this State, we felt justified then, if from no other causes, in holding some of these gentlemen responsible for knowledge of transactions, information upon which even the most ordinary care in the conduct of their affairs must have been brought home to them. We have held them responsible for grave infractions of the well known statutes of the State, and violations of official duty, because we do not believe it to be either safe or proper to permit any public officer to set up as an excuse a lack of knowledge of occurrences, about which it is his plain and official duty to keep himself informed. The measure of official responsibility, we take it, is fixed by the character of the duties of the office, and if men undertake to perform public duties for which by nature they are wholly unfitted, and the public service and general welfare suffer in consequence, we do not believe that such officers should be permitted to plead either ignorance of the law, lack of knowledge of official duties or personal incompetency. Therefore we have thought it our duty to take the plain rule of right action in these matters, and to hold all persons

upon whom such duties were cast, to the strict performance thereof. Having gone so far in explanation of the stand point from which we looked upon the subject matter referred to us, that the conclusions at which we have arrived might be fully understood, we here offer what we solemnly believe to be a full history, so far as it lay within our power to reach the same, of the present condition of the State Treasury, and the causes producing that condition.

The testimony elicits the fact that during the political campaign of 1876, Col. James N. Burnes, a stockholder in the bank of St. Joseph, took a most active part in securing the nomination of Elijah Gates, to the office of State Treasurer, and managed and controlled his interests in the Democratic State Convention. After Gates had been elected, James N. Burnes took upon himself the sole charge of making the bond required by law to be given, with the knowledge on his part that he would thereby obtain full and complete control of the State's deposits. He boldly stated to the committee: "I knew Col. Gates well enough to know if I were on his bond that he would deposit his money with any bank I was interested in." Thomas H. Mastin, having opposed the nomination of Col. Gates, immediately set to work to influence Gates and his political manager, Burnes, to permit parties interested in the Mastin Bank to make a portion of said bond, to the end that they might be allowed to continue in possession of a portion of the deposits of the State. At that time there was deposited of the State's funds in the Mastin Bank, under the administration of Mr. Mercer, \$312,000, the withdrawal of which would have crippled the Mastin Bank; hence the solicitude on the part of the Mastins and others interested in that bank. The bond was executed with the following named persons as sureties: James N. Burnes, F. M. Cockrell, Barton Bates, J. H. Britton, N. P. Ogden, Smith Adams, John J. Mastin, M. J. Payne, Thomas H. Mastin, D. O. Smart, David H. Armstrong.

The above named parties were, to a more or less extent, interested in the several banks that were to get a portion of the moneys of the State, and, with the exception of Cockrell and Adams, had volunteered to go on the bond. Cockrell and Adams had been procured by Gates himself.

Burnes testified that there was an understanding at this time that Gates's bond having been made by parties in the three banks, namely: Bank of St. Joseph, Mastin Bank, and National Bank of the State, the deposits were to be divided between the three banks in equal proportions, and the farming out of the moneys of the State was understood to be in the control and under the management of James N. Burnes. The Bank of St. Joseph, under the arrangement,

was selected nominally sole depository of the State's funds. It had a capital stock, full paid, of \$100,000, and Col. Gates, in answer to an interrogatory why he selected the Bank of St. Joseph as the depository of the State's funds, made the following reply: "I selected the Bank of St. Joseph as the depository of the State's funds, simply because James N. Burnes was one of the delegates and took an active part in my nomination." He did not know the capital stock of the bank, nor did he inquire about it. Burnes having secured the absolute control of the money of the State, and having perfect confidence in his ability to retain the same, began, through the Bank of St. Joseph, to let it out to the above named banks, and collect interest through the Bank of St. Joseph as hereinafter explained. This arrangement continued until the time of the failure of the National Bank of the State of Missouri, which had a deposit, when its doors closed, of the State's money of about \$500,000, for which the Bank of St. Joseph was directly liable to Gates when the State Bank closed. Alarmed at the heavy loss, Gates withdrew a large portion of his deposits from the Bank of St. Joseph and carried them in the Mastin Bank in the name of Elijah Gates, Treasurer, and continued to carry them in his name on the books of that bank until the time of its suspension. The testimony further shows the following facts as to the standing of the State finances: On January 8, 1877, Treasurer Gates received from his predecessor, \$525,473.55. He began his connection with the Bank of St. Joseph about the same time by depositing in it a check on the Mastin Bank for \$312,000, and on the National Bank of the State of Missouri for \$190,000, both signed by Joseph W. Mercer, Treasurer. At the date of the suspension of the National Bank of the State of Missouri, June 19, 1877, the State money on deposit in the Bank of St. Joseph aggregated \$1,357,958.88, which was apportioned by it among the following banks: National Bank of the State of Missouri, \$501,462.88; Mastin Bank, \$856,111.98; First National Bank of Warrensburg, \$10,000; National Exchange Bank of Jefferson City, \$10,000—leaving a balance in the Bank of St. Joseph of only \$383.77, although it was solely responsible to the Treasurer for the whole sum. Alarmed at the failure of the National Bank of the State of Missouri, and fearing the reaction on the Bank of St. Joseph, the Treasurer ceased depositing in the latter bank, and had the funds on deposit to its credit in the Mastin Bank transferred to the credit of himself, as Treasurer, amounting to the above named sum of \$856,111.98. The Mastin Bank had a paid up capital of \$250,000. A short time after transferring this credit to his own account, the Treasurer procured from the Mastin Bank an indemnity bond in the sum of \$1,000,000 as security for the deposits signed by John J Mas-

tin, Thomas H. Mastin, Seth Ward, David O. Smart, Thomas Corrigan, John Campbell, M. J. Payne and James H. McGee, which bond the committee are of the opinion was at that time good indemnity for \$500,000, but which subsequent developments have proven to be comparatively worthless. About this time, July 1, 1877, the Mastin Bank remitted to New York \$450,000, for payment of the July interest. The Treasurer continued his deposits in the Mastin Bank until about August or September, 1877, when he gave instructions to the bank to forward \$490,000 more to New York in payment of maturing bonds, and was notified that it was impossible for the bank to do so.

At this juncture, notwithstanding the failure of the National Bank of the State of Missouri, the bank of St. Joseph still continued doing business, and the Treasurer, knowing the Mastin Bank to be in an unsound condition, recommenced depositing the State funds in the Bank of St. Joseph.

From this time to the latter portion of January, the Treasurer was making constant efforts to withdraw his money from the Mastin Bank, but his drafts were almost invariably sent back to him unpaid.

January 27, 1878, it became evident to the Mastins and Gates that the First National Bank of Kansas City could not continue its existence more than a day or two longer, and that its dissolution would cause a panic that would precipitate the failure of the already crippled Mastin Bank, unless the latter could receive assistance.

A meeting was arranged on the 28th of January, 1878, between the two Mastins, C. F. Burnes and James N. Burnes, at the St. James Hotel in Kansas City. Gates was in Washington at the time the Burnes' were called to Kansas City, but was telegraphed to come on and meet them, which he did. At this time Treasurer Gates had on deposit in the Bank of St. Joseph \$262,000, and there was due to the Bank of St. Joseph from the broken National Bank of the State of Missouri, something in excess of \$375,000, having been reduced to this amount by payment of dividends. James N. Burnes had, for a length of time, been using every endeavor to induce the Mastins to assume half of the loss in the National Bank failure. Seeing the straits of their necessities, he took advantage of the opportunity, and made the following proposition: That if they would assume one-half of the loss occasioned by the failure of the National Bank of the State of Missouri, that he would induce Gates to advance them one-half of what moneys the Bank of St. Joseph then had to his credit. Under all the circumstances, the Mastins could do nothing more than accept. The arrangement was consummated between them and the two Burnes' in the hotel at 10:30 o'clock at night, and Elijah Gates signed, as Treasurer, under the instructions of James N. Burnes, and without inquiry,

two checks, both drawn on the Bank of St. Joseph; one for \$131,000, being half of the money then to his credit in the Bank of St. Joseph, and another for \$187,500, being an estimated one-half of the loss occasioned by the failure of the National Bank of the State of Missouri. This method having been selected for the transfer from the Bank of St. Joseph to the Mastin Bank of that asset, these two checks were placed to his credit on the books of the Mastin Bank, and debited to him on the books of the Bank of St. Joseph.

When the checks were signed, they were at once passed to Thomas H. Mastin, endorsed by him as assistant cashier and turned over to James N. Burnes, taking from Burnes an assignment of one-half of the claim of the Bank of St. Joseph against the National Bank of the State of Missouri. The arrangement was perfected just in time to have Thomas H. Mastin catch the regular train for St. Joseph at 11 o'clock. He telegraphed on ahead to have a special train in waiting, which brought him back to Kansas City at 8 o'clock the next morning, before banking hours, with \$50,000 in cash and \$81,000 in drafts on St. Louis, it being understood between all the parties that the bank could not open and run the next day without this assistance. It was also understood that no money was to pass on the check for \$187,500, but that it represented the transfer of the asset from the one bank to the other.

For the advance of \$131,000 to tide the bank over its financial difficulty, the Treasurer accepted from the bank \$350,000 of Kansas City water works, bonds as a collateral to secure this and any subsequent deposits placed to his credit. The First National Bank suspended, as expected, on January 29, 1878, and produced a panic, resulting, as anticipated, in a run on the Mastin Bank. The bank, however, continued in existence, and the only moneys received by it from the Treasurer were small sums deposited by the collector of Jackson county and placed to the credit of Gates, and were checked out by the Treasurer, with as much more as he was permitted to do by the bank until August 2, 1878, when it suspended with a liability to the Treasurer, according to his books, of \$506,187.80, but according to the bank books only \$279,732.20—a difference of \$226,455.60. This difference, we explain as follows: The Mastin Bank sent among other notes to the bank of St. Joseph on May 7, 1878, on which the latter bank could realize money for Treasurer Gates' four notes, all dated May 6, 1878, for \$10,000 each, all signed by the Kansas City White Lead and Linseed Oil Company, and endorsed by W. N. Marsh and F. C. Marsh, payable four months' after date, and a copy of the following letter explains the result:

ST. JOSEPH, JUNE 6, 1878.

John J. Mastin, Cashier, Kansas City, Mo.,

DEAR SIR—As desired, the notes of W. N. Marsh and others are discounted to-day. Amount of discount, at ten per cent. is \$1,044.40. You will therefore charge \$38,955.60 to the State of Missouri, as per our agreement.

Very Truly Yours,

For Treasurer.

C. F. BURNES.

The State Treasurer denies all knowledge of the transaction, and repudiates it. The Bank of St. Joseph, however, was, so to speak, the clearing house for the Treasurer, and its President had instructed the Mastin Bank to debit the State of Missouri with the proceeds of his notes, as per his own letter. These notes the Treasurer has received, and they are now filed as exhibits in a suit instituted in Kansas City against the endorsers and the company. The balance due is \$187,500, for which it is claimed that the Mastin Bank is liable. It is admitted by the cashier that the credit to Gates on the books of the bank was a bona fide transaction, and was merely the means of changing from the Bank of St. Joseph to the Mastin Bank, one-half of the loss in the National Bank of the State of Missouri, and the credit given to Gates in the Mastin Bank was in lieu of that to which he was entitled on the books of the Bank of St. Joseph. As a further evidence of the fact that both of these banks understood the transaction alike, the dividend was paid out of the assets of the National Bank of the State of Missouri, and as the asset had been proved up in the name of the Bank of St. Joseph, the whole of the dividend was paid to that bank, and that portion of it to which the \$187,500 transferred to the Mastin Bank was entitled, was forwarded to the Mastin Bank and placed to the credit of John J. Mastin, Trustee, as shown by the following correspondence:

BANK OF ST. JOSEPH, }
ST. JOSEPH, MO., MARCH 11, 1878. }

John J. Mastin, Cashier, Kansas City, Mo.,

DEAR SIR—We have notification from St. Louis to-day of payment of a third dividend amounting to ten per cent. to creditors of National Bank of the State of Missouri, for which we send you to-day \$25,000 currency by the United States Express Company, as we suppose you prefer having the currency for this. Please acknowledge receipt for same.

Your friend, truly,

C. F. BURNES, President.

Which letter of advice was answered as follows:

MASTIN BANK,
KANSAS CITY, Mo., MARCH 13, 1878. }

C. F. Burnes, President.

DEAR SIR—Yours of the 11th, in regard to dividend, received, and also the currency. We are making large shipments of currency to St. Louis almost every day now, and would have preferred exchange.

Yours, &c,

JOHN J. MASTIN, Cashier.

The aggregate of these two amounts makes up the difference between what is claimed by the Treasurer from his books, and what is claimed by the Mastin Bank from its books.

On October 26, 1878, the Treasurer sold the \$350,000 water works bonds, and realized \$220,000, which reduced the claim against the Mastin Bank to that extent. As security for the balance the Treasurer holds \$98,175 in past due coupons of the National Water Works Company, the right to which is disputed, and the \$1,000,000 bond hereinbefore referred to.

The assignee of the Mastin Bank will probably pay out of the assets of that bank at least 40 per cent., and is hopeful of a still larger dividend.

In settling with the Bank of St. Joseph, a balance was due of \$49,000 to the Treasurer, and there being no cash on hand to meet this, he accepted forty-nine \$1,000 Clinton county bonds.

In the prosecution of an attachment suit against the Mastin Bank, the Treasurer drew \$5,000 in cash from the State funds and deposited it with William Chrisman, of Independence, and J. W. Reid, of Kansas City, to indemnify them in case of loss as sureties on his attachment bond. The National Bank of the State of Missouri owes the State, direct, \$3,045.25, so that to sum up the condition of the State Treasury on February 5, 1879, we found it to be as follows:

In the Bank of Commerce, St. Louis, \$791,253.48, for the security of which the Treasurer holds \$750,000 worth of State and United States bonds.

The bank is allowed a margin of \$50,000 above the amount of bonds deposited by it, whenever they have as much as \$50,000 more than the amount of bonds deposited as security, the Treasurer is empowered to call upon them for the deposit of additional bonds:

In the Mastin Bank.....	\$286,187 80
Clinton county bonds.....	49,000 00
Deposited with Chrisman & Reed.....	5,000 00
In the vault, wolf scalp certificates, etc.....	48,482 50
In National Bank of the State of Missouri.....	3,045 25

\$1,182,969 03

Out of the above item of \$286,187.80, four disputed Kansas City White Lead and Linseed Oil Company notes are in suit, as hereinbefore set out, and are contested upon various grounds, also the claim for an amount of \$187,500 is contested before the assignee and set for hearing March 2, 1879. Whether either or both of these amounts are valid claims against the parties prosecuted for their collection, are questions upon which your committee does not feel authorized to express an opinion.

From all the information the committee could obtain, they are satisfied that there is strong reason to believe that the State will suffer no loss, on account of the failure of these various banks in which the State money is tied up.

The ultimate recovery of by far the larger amount of it seems certain, and it is highly probable, that, what with the assets of the various banks and the few solvent persons on the different bonds, the whole sum can be realized.

THE PAYMENT OF INTEREST.

We felt justified, in order to fix the custom of interest payments to go beyond the date of Gates' entry upon the office, and we found that the payment of a bonus for the use of the State money began with the administration of Bishop, in 1861, and has continued regularly to a greater or less degree ever since.

Prior to Mercer's induction to office, the payments as made, and to whom made, do not appear on the face of the books by any entry which enables the committee to designate them.

They passed into the general entry of profit and loss account of the different banks, and could not be traced. When Mercer took the office, the interest payments by both the National Bank of the State and the Mastin Bank were made to John T. Crisp. After Gates took possession of the office, all interest paid was either to the Bank of St. Joseph or Burnes & Co. of Atchison, Kansas, for, as it was claimed, the sole use of James N. Burnes. Passing back to the inception of these matters, it would seem that it was the general understanding among bankers and politicians, that in putting up a particular person for the office of Treasurer, securing his nomination and making his bond, his backers were entitled to control the funds, but were expected to pay interest upon them.

At this time the Mastin Bank and the National Bank had between them about \$525,000 of the State money deposited with them by Mr. Mercer, and upon which they were paying interest at the rate of four and a half to Crisp. After Gates' nomination, and when it became evident that Burnes would control these matters, the Mastins employed

Waller Young to represent them in their efforts to get on Gates' bond, and retain a portion of the State's deposit. The committee conclude that the pressing cause for this was the fact that at that time they had over \$300,000 of the State's money that they could not have then paid, nor did they ever pay the amount except by passing it to Gates' general credit on their books. The parties met in St. Joseph, and the new Constitution requiring that the Treasurer should advertise for bids for the use of the State's money, and all these parties claiming to believe this constitutional provision to be self operative, it seems they had several conferences with the Treasurer and with Burnes, who was his manager in all these matters. Finally, Gates and Burnes selected the Mastins, and the parties representing the National Bank of the State to make his bond, with the understanding that the money should be divided as hereinbefore set forth, and this plan having been agreed upon, the bond was executed, and as soon as Gates went into office, the money was forwarded to the Bank of St. Joseph, then sent out to the different banks as before shown. It was here agreed that the three banks should pay six per cent. interest upon the daily balances on the State money in the different banks. These payments were to be credited directly to the Bank of St. Joseph upon the monthly balances, and to simplify matters, all State money was to be carried on the books of the different banks to the credit of the account of the Bank of St. Joseph, "special account."

The books of the Mastin Bank and First National Bank at Warrensburg are plain as to the interest payments made by them, the entries being as "interest on the State funds." In the Bank of St. Joseph no entries could be found, and in the National Bank of the State, entries only for the months of May and June, 1877. These entries were not made until the banks went into the hands of a receiver, and bore date November 17, 1877.

Outside the general agreement, there was an understanding between the Mastin Bank and Bank of St. Joseph, that if the latter bank should send to the former a portion of its one-third of the money, that two per cent. extra should be allowed for the use of such excess, which amount should go directly to the Bank of St. Joseph, and the balance of the interest paid, it is claimed, went directly to James N. Burnes personally, and was by him appropriated to his own use. The reasons assigned for this most singular claim, are not at all satisfactory to the committee. The right to the interest set up by Burnes was based upon the assertion that he had agreed to use his financial credit to protect the different banks in the use of their portion of the funds for State purposes, by supplying the Bank of St. Joseph with

funds to meet all of the demands of the Treasurer. This pretext did not satisfy the committee, for the reason that the Bank of St. Joseph, in which he was a stockholder, and which was responsible for the whole of the deposits, was also paying this interest. In addition to this, after the failure of the Bank in St. Louis, the Mastin Bank, which had most of the money during the remainder of the period, until its suspension, and was paying the heaviest portion of this interest, carried the money directly in the name of Gates, rendered statements monthly of the balances to Gates only, and Burnes claimed that in order to get the statements showing the monthly balances to the credit of Gates in the Mastin Bank, that he was compelled to come to Jefferson City and examine the books of the Treasurer, which he did, claiming that the Treasurer did not know any more about what his purpose was than what he might be led to suspect. As the money was in Gates' name directly, and subject to his drafts, there was no pretense, and none could be made, that Burnes was protecting the Mastin Bank against the drafts of Gates, and, therefore, the reason assigned by him why he received the interest was in nowise applicable to the state of affairs under which the interest was being received. Whether Gates participated in these interest receipts, your committee could not learn. Both Gates and Burnes deny in the most emphatic terms that he did, but just as certainly, on the the other hand, did these banks and their various officers so understand, and they claim to have supposed that this was but an indirect method of paying the money to Gates to secure the continuance of the deposits and as a bonus for their use. As your committee have no testimony going to show the participation of Gates, they do not feel justified in raising the fact to life, out of the merely suspicious circumstances surrounding the transactions. They must, therefore, leave unanswered this question :

“ Why should James N. Burnes, whose money this was not, and for the prompt forthcoming of which he was but indirectly responsible, and over which he had no legal control, be the recipient of the large sums of money paid for the use of it, and that too from those very men, who were, like himself, bound on Gates' bond, and, according to his own statements, equally entitled with himself to participate in the management and control of the funds? That Gates must have known that the interest was being paid, the conclusion is irresistible. These bankers began immediately after his nomination, and continued to the time of his entry upon the duties of his office, to make an unseemly scramble for this money. That they did not desire the responsibility of possessing it merely for the name, no sane person can for one moment suppose. That it was valuable, Gates well knew, for

he had canvassed the question of advertising for bids for the payment of a bonus for its use, under the terms of the constitution, and the fight these men were making was to get on the bond, and be inside the pool, and to agree upon uniform bids which would keep it in their hands. That interest had been paid on these moneys, was an acknowledged fact, known and discussed in loud whispers in the politics of the whole State. It was known to the officers and employes of four banks, and no effort was made to conceal the fact. It was discussed by Gates' friends, and measured as an off-set to the loss in St. Louis as early as June, 1877. That these bankers supposed he knew it, is certain; John J. Mastin claiming to have received instructions from Gates as to the manner of making the payment. The interest was paid by the Mastin bank up to the time of its failure, and by the bank of St. Joseph up to October, 1878, yet, during all these months the State was being defrauded out of the proceeds of this fund which the Treasurer claimed at one time to expect to get for her without an effort upon his part, to save the large profits upon these funds to the people of this State, to whom they most justly belonged.

Unfortunately for the State and for the Treasurer it was determined that the provision of the Constitution was not self-operative, and by active lobbying the banks that had already the money of the Treasurer, succeeded in defeating the treasury bill introduced into the House in the session of the Twenty-ninth General Assembly, thereby leaving the matter in exactly the same shape in which it had been standing during previous years. These banks then went on using the money and paying the interest upon it as hereinbefore shown. It is due Col. Gates to say that he denies all knowledge of those interest payments, but in the light of all the attendant circumstances your committee are forced to the conclusion that this denial can only be accounted for upon the theory that he willfully avoided that information upon these matters which is called legal certainty, but we hold him to that suspicion, that degree of vigilance upon that suspicion, which should have been his as a public officer in protecting trust funds, which raises itself to a moral certainty that a bonus was being paid for the use of the money, and we conclude that Elijah Gates knew, if he did share in it, that interest was being paid upon the funds of the State. The following amounts we found to have been paid, and in view of the fact that only the payments by the Mastin bank and bank at Warrensburg are certain, we are forced to estimate in part that paid by the bank in St. Louis and entirely that paid by the bank in St. Joseph. We have taken the Treasurer's balances and given the whole amounts and the interest spread thereon,

and dividing it to the several banks, are satisfied that the estimate is reasonable.

Mastin bank.....	\$54,391 00
Bank of St. Joseph.....	25,000 00
National Bank of the State.....	11,214 15
First National Bank at Warrensburg.....	633 60

Total.....\$91,238 75

Of course we do not desire to be understood as making these items specific as to any but the two banks named, but we felt safe in fixing the total as above. The National Exchange bank at Jefferson City paid no interest so far as we could learn.

MANAGEMENT OF THE OFFICE.

James N. Burnes was practically State Treasurer, while Gates took the oath, was commissioned and inducted into office; the real manager, the master hand and overruling spirit was James N. Burnes. That Elijah Gates was wholly unfitted to perform the duties of this office, and should not have been placed in it, perhaps even his best friends will not deny. He was doubtless chosen from his obscurity because of the fact that his lack of information about that which he was taking upon himself best fitted him for the uses of the designing men who singled him out and were instrumental in raising him to the office. The laws of this State (Wagner's Statutes, page 1340, sections 4, 8 and 49, page 487, section 17, page 459, sections 39 and 41, page 460, sections 15 and 19) Const. 1875, art. 10, sec. 15 and 19, define the scope of the duties of such an officer, and hedge his office about with the most stringent penal enactments. Section 42 contains the following language: "No such officer, agent, or servant, shall loan out, with or without interest, any money or valuable security received by him." The courts have repeatedly decided that a deposit of money with any person or institution is a loan within the meaning of this section. 1st page Chancery Reports, 249; 18th Grattan, Va., 511; 15th New York, 255; 2d Wallace U. S., 252; 1st Grey, 382. In short, the powers and duties of such an office stood most explicitly and fully defined, yet in direct and open violation of all those provisions, Gates took from the Warrensburg bank two certificates of deposit aggregating \$15,000, which money he left lying in that bank for six months. He kept a running account with that bank for a long period of time, his deposits aggregating oftentimes \$40,000. He deposited in the National Exchange bank of Jefferson City, and kept there for nearly a year, running deposits, often reaching from thirty-five to forty thousand dollars, violating the

law in making the deposit and endangering the loss of the money by not taking an indemnity for its safety. When he brought the suit by attachment in Kansas City, he took \$5,000 of the State's money and used it to indemnify parties who went on his private, individual attachment bond, in a suit instituted for the collection of what was his personal debt. He deposited nearly one and one-half millions of the money of the people in a bank, the paid up capital stock of which was only \$100,000, without one word of inquiry as to its solvency, taking no bond of indemnity for a considerable period of time after the deposit was made. He stood by and saw that bank parcel out the money of the State to such concerns as it deemed best, without asking as to the solvency or responsibility of such banks, one of them the National Bank of the State of Missouri, with its capital stock only worth from 50 to 60 cents on the dollar, and last and worst, when he knew that the Mastin bank had for months been on the very verge of suspension, he is sent for, and in order that it may keep open its doors, and his friend Burnes may be relieved of a heavy loss, he loans that bank in the very teeth of the law and the facts, \$131,000, and transfers from the Bank of St. Joseph \$187,500 of an asset which was beyond all doubt safer there than in the hands into which he was flinging it. He admits that when he was doing this, when he was risking with a bank which he knew could not open the next day without assistance, \$318,500 of the peoples' money, more than that bank already had; that he never made an inquiry; that he did not know more than that Burnes wrote the check, asked him to sign it, and without question and without knowledge he did so. Then with pain and mortification your committee has gone step by step through this mass of humiliating transactions, and while they feel that Col. Gates has followed rather than led in the various infractions of the law and violations of official duty which have brought such embarrassing results to the State and her people, they feel it their bounden duty, as your committee under their obligation as representatives of the people, having in charge their interests, to hold Col. Gates responsible to the people for grave official misconduct within the meaning of the laws of the State, and to impeach him before the House and before the people of the State, of high crimes and misdemeanors in office, to the end that due punishment may be meted to him and the violated laws be vindicated, your committee beg leave to offer the following resolution as a part of this report, and beg that the report be adopted and the resolution do pass:

Resolved, That Elijah Gates, Treasurer of the State of Missouri, be and he is hereby impeached for high crimes and misdemeanors in office, and that to this end the House elect five managers, whose duty

it shall be, by and with the assistance of the Attorney-General of the State of Missouri, to draw up and present articles of impeachment against said Elijah Gates, and present them to this House for its adoption.

M. T. TAYLOR, Chairman.
F. P. WILEY,
T. H. TIERNAN,
WM. L. BROWN,
F. W. MOTT.

Which was read.

I fully endorse and concur in the testimony and facts elicited in the investigation of the committee, but dissent from making any recommendation as to what action should be taken by the Legislature in the premises, for the reason that the resolution creating this committee made it their duty to report only the facts and evidence on the subject, and did not call for any recommendations.

JOHN SAUNDERS.

Which was read. .

Mr. McDaniel moved that 250 copies of the report and resolution be printed; which was agreed to.

The question recurring on the adoption of the report, it was adopted.

Pending discussion on the resolution,

On motion of Mr. Davis, the House adjourned until to-morrow morning at 9 o'clock.

THIRTY-NINTH DAY—WEDNESDAY, February 26, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by Elder E. P. Haley.

The journal of yesterday was being read, when,

On motion of Mr. McGarry, the further reading was dispensed with.

Mr. Burford offered the following resolution :

Resolved, That the Superintendent of Public Schools furnish to this House a list of students attending each of the Normal Schools of this State, including each department, namely, school of practice,

preparatory department and normal proper, with the age of each student, and inform this House if there is in each or any of the Normal Schools of this State a preparatory department for the education of children who should attend the district schools, and if the teachers of said department are paid with State funds, and inform this House if students cannot teach one month in this school of practice and be released from any farther teaching in this State, and also inform this House the number of students from other States in each of said schools, and if said students pay the same tuition as Missouri students; which was read.

Mr. Cloud moved to lay the resolution on the table; which was not agreed to.

Mr. Bonham offered the following amendment:

Amend as follows: "School Superintendent shall furnish the number of all pupils under the age of fourteen years now attending said schools, according to the returns in his office; which was read and not agreed to.

The question recurring on the adoption of the resolution, it was adopted.

Mr. Arnold offered the following resolution:

Resolved, That in the judgment of this House, a constitutional amendment ought to be submitted to the qualified voters of this State, prohibiting absolutely the manufacture of intoxicating liquors therein, or the importation or sale of the same, except for medical, chemical or sacramental purposes; and to that end the Committee on Constitutional Amendments are requested to report to this House, at as early a day as practicable, a concurrent resolution to that effect; which was read, and, on motion, postponed until 10 o'clock, Tuesday, March 4th.

Mr. Davis presented the following communication from Elijah Gates, State Treasurer:

To the General Assembly of the State of Missouri:

I am advised by my counsel that under proper proceedings, to be instituted in the name of the State, the full amount of two hundred and eighty-six thousand dollars of the State money, which I have not now in my possession as State Treasurer, by reason of the failure of certain banks in which said money was deposited, can be recovered from said banks.

I am further advised that in order to properly institute such proceedings, it will be necessary for the General Assembly to authorize the Attorney-General to use the name of the State for that purpose.

Sincerely anxious to recover said sum, and to allay the anxiety existing in regard thereto, I respectfully ask that the Attorney-Gen-

eral be authorized to institute such action, in the name of the State of Missouri, as he may, after consultation with my counsel, deem proper and necessary for the purpose of recovering the deficiency aforesaid, and in order that no question may arise hereafter as to the release of myself or bondsmen, by reason of such action on the part of the General Assembly, I propose as a condition precedent to the institution of any such proceedings by the Attorney-General in the name of the State, as before set forth, the State shall be fully secured against any loss in any event, by the execution to the State of the proper conveyance by myself and bondsmen, of mortgages or deeds of trust giving to the State a first lien upon real estate aggregating, in the present market value, the amount of two hundred and eighty-six thousand dollars.

The title to said real estate shall be unquestioned, and its market value shall be ascertained by appraisement, to be made in such manner as the General Assembly may determine." An indemnifying bond, with satisfactory security, shall also be first executed by myself and bondsmen, securing the State against the payment of any costs or expenses growing out of any suit instituted in its name as aforesaid.

This proposition is made with no idea or purpose of shielding myself from censure, or from any criminal proceedings of any kind, but in good faith, and for the purpose of preventing loss to the State by reason of events which have caused wide-spread and legitimate anxiety.

Respectfully,

E. GATES,

State Treasurer.

Which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Davis introduced bill No. 438, entitled An act authorizing the Attorney-General to institute proceedings for the recovery of certain moneys; which was read the first time and laid over.

Mr. Younger offered the following resolution:

WHEREAS, The sending of convicts through the State and bringing them in contact and opposition to honorable laborers has met with opposition in all the counties of this State, except Pettis, therefore be it

Resolved, That the Warden of the penitentiary be authorized and directed to contract with the Missouri Pacific Railroad Company for the employment of five hundred convicts, to be worked in the machine shops, and at and about the work of said railroad in and around Sedalia, at a price and sum not less than twenty-five cents a

day, to open their eyes on this subject; which was read and referred to the Committee on Penitentiary.

Mr. Riley presented a petition from citizens of Buchanan county, praying the Legislature to submit to a vote of the people, an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Knight presented a petition from citizens of Harrison county, praying the Legislature to give back to them the township organization law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Lynn presented a petition from citizens of Scotland county, praying the Legislature to submit to a vote of the people, an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Warren presented petitions from citizens of Shelby county, Linn county, Caldwell county and Cedar county, asking for a law prohibiting the manufacture and sale of intoxicating drinks in this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Foster presented a petition from M. Heller, of St. Louis; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Lynn presented a petition from Memphis Lodge, I. O. G. T.; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Ellis presented a petition from citizen of Nodaway county, asking for the restoration of the township organization law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 307, entitled An act to amend section 6 of chapter 206 of the General Statutes of Missouri, being section 6 of article 3 of chapter 42 of Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 307, entitled An act to amend section 6 of chapter 206 of the General Statutes of Missouri, being section 6 of article 3 of chapter 42 of Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest; was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 383, entitled An act to provide for the punishment of public officers and employes for drunkenness, beg leave to report that they have considered the same, and report it back to the House without recommendation, with a substitute; which was read.

House bill No. 383, entitled An act to prevent and punish public officers and employes from impairing their capacity for same by intoxication and drunkenness; was taken up, with the substitute reported by the Committee on Criminal Jurisprudence.

The substitute was agreed to, and, on motion, ordered to be engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 159, entitled An act to prevent the sale of deadly weapons to minors, beg leave to report that they have considered the same, and report it back to the House with an amendment and without recommendation; which was read.

House bill No. 159, entitled An act to prevent the sale of deadly weapons to minors; was taken up with the following amendment, submitted by the Committee on Criminal Jurisprudence.

Amend by inserting after the word "to," at the end of the fourth line of section 1, the following words: "deliver or loan."

The amendment was read and agreed to.

The bill as amended was ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter, to be called section 15, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter, to be called section 15; was taken up, and, on motion, ordered to be engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 213, entitled An act to amend sections 4 and 5 of article 5 of chapter 111, Wagner's Statutes, concerning practice and proceedings in criminal cases, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 213, entitled An act to amend sections 4 and 5 of article 5, chapter 111, Wagner's Statutes, concerning practice and proceedings in criminal cases; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 121, entitled An act to amend an act entitled an act to regulate cost in criminal cases and collection of same, approved March 28, 1874, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 121, entitled An act to amend an act entitled an act to regulate costs in criminal cases and collection of same, approved March 28, 1874; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 294, entitled An act to amend sections 7 and 8, article 9, Wagner's Statutes, 1872, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Judiciary; which was read.

House bill No. 294, entitled An act to amend sections 7 and 8, article 9, Wagner's Statutes, 1872; was taken up, and, on motion, referred to the Committee on Judiciary.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 403, entitled An act to enable cities, incor-

porated towns, villages, and school districts to collect delinquent taxes, and enforce the lien of such taxes given by section 181 of the act of 1872, concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Judiciary; which was read.

House bill No. 405, entitled An act to enable cities, incorporated towns, villages and school districts to collect delinquent taxes and enforce the lien of such taxes given by section 181 of the act of 1872, concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, and, on motion, the bill was referred to the Committee on Judiciary.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 225, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury, arising from fines, penalties and forfeitures, and from the sale of strays, and for the investment and preservation of money paid under this act, as a county public school fund, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Claims; which was read, and the bill referred to the Committee on Claims.

Substitute for House bill No. 365, entitled An act fixing the compensation of experts testifying in courts of record; was taken up.

Mr. Dougherty moved to reconsider the vote by which the bill was ordered engrossed and printed; which was agreed to.

Mr. Dougherty offered the following amendment to the substitute:

Strike out the 15th line in section No. 1, viz: "Not to exceed five dollars;" which was read and agreed to.

The substitute as amended was ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created, beg leave to report that they have considered the same, and make no recommendation in reference thereto; which was read.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount

of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was taken up.

On motion of Mr. Davis, the bill was ordered printed, and made special order for Friday morning next.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 23, which propose an amendment to the Constitution respecting representation in the two Houses of the General Assembly, beg leave to report that they have considered the same, and that the committee being equally divided upon the question of the adoption of the resolution, the chair was ordered by the committee to report the resolution without recommendation, all which is respectfully submitted; which was read.

Pending consideration of which, the special order was called for. Under a suspension of the rules,

Mr. Riley, from the Committee on Lunatic Asylums, submitted the following report:

MR. SPEAKER: Your Committee on Lunatic Asylums, beg leave to report that they have just returned from a visit to State Insane Asylum No. 1, located at Fulton. It is the opinion of the committee that the asylum is well conducted. They found it kept clean, well heated and ventilated; they think that it has been conducted as economically as could be under like circumstances.

On account of the destruction of Asylum No. 2, at St. Joseph, the asylum at Fulton is rapidly filling up. On Nov. 25, 1878, there were 410 inmates; at the present time there are 423, with 13 applications. The capacity of the institution is 450. There are now in the State over 1300 insane unprovided for; this fact, taken in connection with the destruction of Asylum No. 2, shows conclusively that there will be a very large number to be cared for at Fulton at no distant day.

For the above reason, the committee would urge upon the Legislature the importance of making a liberal appropriation for the above-named institution; which was read.

The special order being Senate bill No. 172, entitled An act to appropriate money for the support of the State Government for the years 1879 and 1880; was taken up.

On motion of Mr. Davis, the House resolved itself into a Committee of the Whole, for the consideration of the same.

Mr. Arnold in the chair.

On motion, the Committee of the Whole rose.

The Speaker took the chair, and called the House to order.

Mr. Arnold, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again to-morrow morning at 10 o'clock, which was granted.

On motion of Mr. Lockhart, the House adjourned until to-morrow morning at 9 o'clock.

FORTIETH DAY—THURSDAY, February 27, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Arnold, the further reading was dispensed with.

Mr. Davis presented a petition from citizens of Saline county, praying the Legislature to submit to a vote of the people, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks in the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Lynn presented a petition from citizens of Scotland county, praying the legislature to pass the bill introduced by Mr. Gwynne of Jackson county, to regulate the sale of intoxicating liquors by dealers in drugs and medicines, and to define who shall be known as such dealers; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Burford offered the following resolution:

Resolved, That the Superintendent of Public Schools be requested to report to this House the names of teachers in each of the Normal Schools, and the amount of salary paid each the past session; also, the amount received from students of each of said schools for tuition or other fees the past session; which was read and adopted.

Mr. Moler introduced bill No. 439, entitled An act amending section 13 of an act entitled an act establishing probate courts, approved April 9, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 440, entitled An act to relieve wheat and tobacco growers from improper taxation; which was read the first time and laid over.

Mr. Crow introduced bill No. 441, entitled An act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; which was read the first time and laid over.

Mr. Morrison introduced bill No. 442, entitled An act to abridge and amend the stray law; which was read the first time and laid over.

Mr. Chilton introduced bill No. 443, entitled An act to suppress disorderly conduct on passenger trains, and providing for the apprehension of offenders thereon; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; which was read the first time and laid over.

Mr. McCormick of St. Louis city, from the Committee on Blind Asylum, submitted the following report:

MR. SPEAKER: The Committee of the House, to whom was committed the investigation of the condition of the Missouri Institution for the Education of the Blind, desire to state that, in pursuance of their responsibility as such committee, they visited said institution, and, through you to the members of the 30th General Assembly, ask leave to submit the following report:

Introductory thereto, the committee desire to acknowledge their appreciation of the courteous assistance rendered them by the officers of the institution, and especially by the President of its Board of Trustees, by whose aid the investigation was greatly facilitated, and the wants and necessities of the institution fully explained.

As it is not generally understood, it may be proper to state, that the said institution is a school and a charity alike.

As an eleemosynary institution, it is not, as its popular name would indicate, an asylum or refuge for the indigent and afflicted, which they enter at their option, to be maintained at the public expense during their pleasure, but it is a charitable school, where a curriculum is prescribed, and a course of study and instruction followed for a given period, by which time it is expected that any of its inmates can be rendered self-sustaining and independent.

It is a monument at once to the humane sentiment of the age and to an enlightened policy of State.

The various departments of the institution were visited and inspected.

THE LITERARY DEPARTMENT.

In the school rooms it was surprising to witness the aptitude of the pupils, and their proficiency in the different branches of study, such as grammar, arithmetic, algebra, history, composition, etc. The pupils have organized a debating society; the young men declaim and debate, while the young ladies read or recite their essays. Some of these productions—poetical and prose—were recited, and were highly creditable.

MUSICAL DEPARTMENT.

In the musical department there was found even more striking development and marked proficiency. Undoubtedly, many of the graduates of this charity will find, on entering life, slight difficulty in maintaining themselves through the opportunities there furnished them.

THE MECHANICAL DEPARTMENTS.

An investigation herein indicated that the object of the tutors was to make the pupils independent in after life, though they may fail to sustain themselves in such vocations as their tastes may lead them. Their handiwork is as perfect and as elegant as though they possessed their senses intact, and any pupil of reasonable intelligence can quit the institution with a sense of independence. In this department they are taught to keep their accounts, and so familiarized do they become with it, that it is rare that they can be imposed upon.

GOVERNMENT OF THE INSTITUTION.

The discipline and morale of the institution is excellent. The pupils retire between 9 and 10 P. M., and rise at 5 A. M. Four hours of each day is devoted to school exercises and recitations; two hours to the work-shops, and the remaining time to study, or exercise or innocent sports. The children are controlled, but no harsh punishments are inflicted, and between teachers and pupils there appears to exist accord and sympathetic love.

The pupils were critically questioned; they expressed themselves as contented and happy, and resent any suggestion that their teachers are unkind. Their condition, considering the affliction under which they exist, is one, in general terms, which redounds to the humanitarian legislation of our State.

ITS SANITARY CONDITION.

The health of the institution was found to be unexceptionable. This, in great measure, is attributable to the wholesome diet and regimen which is followed, and especially to the watchful care of Dr. Pollak, one of its trustees, who, without compensation, is ever at

the bedside of the sufferer, and makes daily visits to the institution in a professional capacity.

The building was critically inspected, and found in general bad condition; the floors especially, and the ceilings and wall-paper need attention. The furniture needs renovation—in fact, much of it is useless.

OFFICERS AND TEACHERS OF INSTITUTION.

These are all specially selected and qualified in the estimation of the Board of Trustees. The corps of teachers are efficient and unobjectionable, Dr. Sibley, the principal, being recognized as among the foremost men in such institutions, both in this country and in Europe.

The superintendent exercises a supervising control, and his qualities of head and heart commend him; while as to integrity (so much needed in such a place), he enjoys the entire confidence and respect of every one. The matron, Mrs. Standish, is considered by the Board as an invaluable person to the institution. A lady of refinement and gentle qualities, it is to her that the high social and moral culture of the pupils is attributable.

As to any reduction of the compensation of the officers or teachers of this asylum, the voice of the Board of Trustees and the voice of your entire committee is uttered in protest.

ITS FINANCIAL CONDITION.

The President of the Board of Trustees furnished the following statement of the per capita cost of maintaining a pupil at this as compared to the cost of other institutions for the blind:

Annual per capita cost of a pupil, New York.....	\$635 38
“ “ “ “ Indiana.....	270 90
“ “ “ “ Missouri.....	235 00

Examination revealed that every dollar appropriated to the use of the asylum had been legitimately applied, and only disbursed upon the approval of the Board of Trustees, each check being first countersigned by the president thereof.

The books, accounts and vouchers were found correct, and as to its general financial management, your committee have no suggestion to offer, and desire to express themselves as fully satisfied therewith. All of which is respectfully submitted; which was read.

Mr. Anderson presented a petition from the members of Fabius Grange, praying the Legislature for a law prohibiting stock from running at large without a herder; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Mahn introduced bill No. 445, entitled An act to amend an act entitled an act authorizing the imprisonment of persons, convicted of misdemeanors, in other places than county jails, approved February 28, 1877; which was read the first time and laid over.

Mr. Carleton presented a petition from citizens of Pettis county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Saunders introduced bill No. 446, entitled An act to amend sections 1 and 3 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business, other than life assurance business, approved March, 1869, the same being section 1 and section 3 of article 4 of chapter 76 of Wagner's Missouri Statutes, entitled insurance other than life; which was read the first time and laid over.

Mr. Saunders introduced bill No. 447, entitled An act to amend section 40 of an act entitled an act for the incorporation of life insurance companies and for the regulation of life assurance business, approved March 10, 1869, the same being section 40 of article 2 of chapter 76 of Wagner's Missouri Statutes, entitled insurance, life; which was read the first time and laid over.

House concurrent resolution No. 23, entitled Joint and concurrent resolution submitting to the legal voters of the State of Missouri amendments to the State Constitution in relation to reducing the representation in the two branches of the State Legislature, and providing for districting the State for that purpose; was taken up.

Mr. Bryan moved that further consideration of resolution be postponed until Wednesday, March 5th, and that 200 copies be printed; which was agreed to.

Leave of absence was granted Mr. Craig for six days.

Leave of absence was granted Mr. Miles for one day.

Leave of absence was granted Mr. Dodson for seven days.

Leave of absence was granted Mr. Smith of St. Louis city for one day.

The resolution submitted by the Special Committee to investigate affairs of the State Treasury in relation to the impeachment of Elijah Gates, State Treasurer; was called up.

Mr. Wiley offered the following substitute:

Resolved, That the Speaker appoint a committee of five members of this House to prepare articles of impeachment against Elijah Gates,

State Treasurer, and report the same to this House for further action; which was read.

Mr. McIntyre moved that the resolution and substitute be made the special order for Tuesday, March 4th.

On motion of Mr. Farr, the previous question was ordered.

The question recurring upon the motion to postpone,

The ayes and noes were demanded, and the motion to postpone prevailed by the following vote:

AYES—Messrs. Alldridge, Arnold, Bashaw, Berry, Berryman, Booth, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chilton, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Farr, Finks, Gray, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrington, Helm, Kendall, Lackland, Larimore, Lesueur, Louthan, Mabrey, Mahn, Maynard, Moler, Morrison, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Younger and Mr. Speaker—80.

NOES—Messrs. Adams, Anderson, Andrews, Ballew, Beckner, Bonham, Boulware, Bowman, Brown, Chenoweth, Cloud, Cooper, Cowan of Christian, Dade, Dale, Dryden, Ewing, Foster, Gwynne, Harrigan, Harrison, Ingram, Johnson, Knight, Lockhart, Lynn, Mackey, Manistre, Mott, McCormick of St. Louis city, McElvain, McKinney, Palmer, Pehle, Pepper, Powell, Spring, Taylor, Tiernan, Whitaker and Wiley—41.

ABSENT—Messrs. Craig, Dilley, Dodson, Hubbard, Miles, Settles, Smith of St. Louis city, Waggener and Withers—9.

ABSENT WITH LEAVE—Messrs. Chitwood, Freed, Greer, Hynes, Kneisley, Mudd of Lincoln, Mudd of St. Louis, O'Malley, Rawlings and Smith of Cedar—10.

SICK—Messrs. Bohannon, Burrows and Souder—3.

The Speaker laid before the House the following communication from the Secretary of the State:

CITY OF JEFFERSON, February 27, 1871.

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives, that at an election held in the county of Dunklin on the 8th day of February inst., W. H. Helm was elected to the House of Representatives of the Thirtieth General Assembly, to fill the vacancy caused

by the death of the Hon. Jesse Long, as appears from the returns of said election this day received, and now in this office.

I have the honor to be,

Very respectfully,

Your obedient servant,

MICH'L K. McGRATH,

Secretary of State.

Which was read.

On motion of Mr. Davis, the rules were suspended, and House bill No. 438, entitled An act authorizing the Attorney-General to institute proceedings for the recovery of certain moneys; was called up, read the second time, and, on motion, referred to Committee on Judiciary.

On motion of Mr. Davis, the House went into Committee of the Whole, for the further consideration of Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880.

Mr. Arnold in the chair.

On motion of Mr. Campbell of St. Louis city, the committee rose. The Speaker took the chair and called the House to order.

Mr. Arnold, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again to-morrow at 10 o'clock; which was granted.

Mr. Vancleve introduced bill No. 448, entitled An act for the relief of Sullivan and Dodd of Macon county; which was read the first time and laid over.

Mr. Foster introduced bill No. 449, entitled An act supplementary to and amendatory of an act entitled an act to provide for the reorganization of the St. Louis circuit court, and regulate proceedings therein, approved December 19, 1865; which was read the first time and laid over.

Mr. Cloud introduced a joint and concurrent resolution, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress, to favor, with their votes and influence, certain measures concerning foreign trade and commerce, and the internal revenue of the United States, and the public debt; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 156, entitled An act to provide for the formation of drainage districts to reclaim and drain the swamp and overflowed lands of this State, and to employ the labor of the convicts

confined in the State Penitentiary in that behalf, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House concurrent resolution No. 6, entitled Joint and concurrent resolution memorializing Congress for the improvement of White river, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 76, entitled An act to amend section thirty-three, chapter one hundred and eighty-nine of the General Statutes of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House concurrent resolution No. 27, entitled Joint and concurrent resolution providing for the pay of the clerical force and other necessary expenses of the Joint Committee on Revision appointed under House joint and concurrent resolution No. 14, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 299, entitled An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes, entitled of the destruction of wolves, being same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House concurrent resolution No. 17, entitled concurrent resolutions of the House of Representatives and the Senate of the 30th General Assembly of the State of Missouri, requesting the United States Congress to provide for the organization of a territorial government for the Indian Territory, and for the division of the lands thereof, in severalty, amongst the owners of the same, making said lands alienable, and for other purposes, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 305, entitled An act to provide for the transferring of unexpended balances in county treasuries, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 373, entitled An act to encourage farmers' stock sales, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 219, entitled An act to amend section 23 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing

all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 373, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Davis offered the following resolution:

Resolved, That 200 copies of the evidence submitted by the special committee on investigation into the affairs of the State Treasury be printed at once for the information of the House, and the committee on printing are hereby requested to make such arrangements as will secure the immediate printing of said evidence; which was read and adopted.

Mr. Vancleve offered the following resolution:

Resolved, That 500 copies of the report of the Adjutant-General be printed for the information of the members of this House; which was read and adopted.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted be adopted; which was read.

House bill No. No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

On motion of Mr. Wells, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-FIRST DAY—FRIDAY, February 28, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Cox offered the following resolution :

Resolved, That the resolution requiring this House to meet at 9 o'clock and adjourn at 1 o'clock, be rescinded, to the end that evening sessions may be held whenever the business of the House may require it; which was read.

Mr. Wells offered the following substitute :

Resolved, That the House shall meet at 9 o'clock, A. M., and hold one session a day; which was read and adopted.

Mr. Tiernan offered the following resolution :

Resolved, That 2,500 copies of the testimony taken by the special committee to examine the condition of the State Treasury, be printed with the accompanying report, for the use of the Senate and House of Representatives, and that the order of the House made yesterday, that 200 copies be printed for use of the House, is hereby revoked; which was read and not adopted.

Mr. Hall offered the following resolution :

Resolved, That the use of the House be granted to J. McGuire on Monday night, to explain the bill for establishing a bureau of labor statistics; which was read and adopted.

Mr. Knight offered the following resolution :

Resolved, That the use of the House be granted to the farmers of this 30th General Assembly every Tuesday and Saturday night; which was read and adopted.

Mr. Withers presented a petition from citizens in Knox county, praying the Legislature for a law reducing the rate of interest to six per cent.; which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Mackey presented a petition from citizens of Pike county, praying the Legislature to submit to the voters of the State, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks in the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Campbell of St. Louis city presented a petition from citizens of the town of Kirkwood and county of St. Louis, representing that

their names were obtained through misrepresentation to a petition asking for the repeal of the charter of the town of Kirkwood, and declaring that they are not in favor of the charter of the town of Kirkwood being repealed; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Warren presented a petition from citizens of Bollinger county, praying the Legislature to submit to the voters of the State, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McElvain presented a petition from citizens of Worth county, praying the Legislature to submit to a vote of the people, a constitutional amendment, forever prohibiting the manufacture and sale of intoxicating drinks in this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

On motion, the rules were suspended, and House bill No. 191, entitled An act to repeal an act entitled an act in relation to the Social Evil Hospital and House of Industry, in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—126.

NOES—Mr. Carroll—1.

ABSENT—Messrs. Campbell of Atchison, Dilley, Hubbard, Kendall, Lackland, Pollock and Wisby—7.

ABSENT WITH LEAVE—Messrs. Craig, Dodson, Greer, Hynes, Mudd of Lincoln and Smith of Cedar—6.

SICK—Messrs. Bohannon, Burrows and Souder—3.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 1, entitled An act in relation to the State Treasury.

Also, that the Senate has taken up and passed House joint and concurrent resolution No. 33, in relation to the revision of the Statutes of the State of Missouri.

Also, House bill No. 122, entitled An act to prevent the licensing by municipal corporations of certain professions, and respectfully ask that the House concur therein; which was read.

Senate amendments to House bill No. 1 were ordered printed.

House bill No. 430 entitled An act to repeal an act entitled an act amendatory of the charter of the North Missouri Railroad Company, approved February 18, 1865; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 431, entitled An act to repeal sections 9, 11, 12 and 13 of chapter 160 of the General Statutes, entitled of executions, and insert new sections in said chapter and to renumber sections therein; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 432, entitled An act to repeal an act entitled an act to amend section 32 of chapter 38 of the General Statutes of Missouri, the same being section 32 of article 4 of chapter 40 of Wagner's Missouri Statutes, relating to the county treasurers and their duties, approved February 28, 1873; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 433, entitled An act to amend section 1 of an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 434, entitled An act to protect shippers of fat hogs and cattle; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 436, entitled An act to provide for refunding the indebtedness of the State, and to reduce the rate of interest thereof, and to enlarge the sinking fund, for the ultimate extinction of such indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 439, entitled an act to amend section 13 of an act entitled an act establishing probate courts, approved April 9, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 440, entitled An act to relieve wheat and tobacco growers from improper taxation; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 441, entitled an act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter eighty-three of the General Statutes, approved April 14, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 442, entitled An act to abridge and amend the stray law; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 443, entitled An act to suppress disorderly conduct on passenger trains, and providing for the apprehension of offenders thereon; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was called up, read the second time, and, on motion, referred to the Committee on Penitentiary.

House bill No. 445, entitled An act to amend an act entitled an act authorizing the imprisonment of persons, convicted of misdemeanors, in other places than county jails, approved February 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 446, entitled An act to amend sections 1 and 3 of an act entitled an act for the incorporation of insurance companies other than life assurance companies, and for the regulation of insurance business other than life assurance business, approved March,

1869, the same being section 1 and section 3 of article 4 of chapter 76, Wagner's Missouri Statutes, entitled insurance other than life; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 447, entitled An act to amend section 40 of an act entitled an act for the incorporation of life insurance companies, and for the regulation of life assurance business, approved March 10, 1869, the same being section 40 of article 2 of chapter 76 of Wagner's Missouri Statutes, entitled insurance, life; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 448, entitled An act for the relief of Sullivan and Dodd, of Macon county; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 449, entitled An act supplementary to and amendatory of an act entitled an act to provide for the reorganization of the St. Louis circuit court and regulate proceedings therein, approved December 19, 1865; was called up, read the second time, and, on motion, referred to the Committee of St. Louis Delegation.

House concurrent resolution No. 36, concerning the improvement of the Mississippi river to the capacity of ocean ship navigation, reclamation of lands, and Florida canal; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House concurrent resolution No. 37, entitled Resolution to submit an amendment to section 2 of article 8 of the Constitution of the State of Missouri, entitled of suffrages and elections; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

House concurrent resolution No. 38, entitled Joint and concurrent resolution concerning foreign trade and commerce, and the internal revenues of the United States, and the public debt; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Senate bill No. 211, entitled An act concerning the assessment, levy and collection of taxes, and the disbursement thereof; was called up and read the first time.

Senate substitute for Senate bill No. 55, entitled An act to revise and amend title 10 of the General Statutes of Missouri, relating to public records, and supplying records and papers lost or destroyed; was called up and read the first time.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud-horse liens, vendors' liens, personal property, hotel and boarding house keepers' liens, contractors'

material, men and laborers' liens, railroad and equitable liens and notices; was called up and read the first time.

Senate substitute No. 1 for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children; was called up, read second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife, and rights of married women; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms or portion of the public school building in said city as are not necessary for public school purposes, to the board of directors of the Northwest Missouri Normal School of said city; was called up, read the second time, and, on motion, referred to the Committee on Education.

Senate bill No. 188, entitled An act relating to the compensation of collectors of revenue in cities having a population of over three hundred thousand inhabitants; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform the same to the changes wrought by section 23, articles 9 of the Constitution, and to add an additional section thereto, to be known as section 14; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

Senate bill No. 238, entitled An act to provide for issuing duplicate bonds or coupons; was called up, read the second time, and, on motion, referred to the Committee on Judiciary, and 200 copies ordered printed for information.

The special order being, House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriages and marriage contracts; was taken up.

Mr. Wells offered the following amendment:

Amend section 2 by striking out the words "double cousins, first cousins," in lines 3 and 4; which was read.

Mr. Farr called for a division of the question; which was ordered.

The question recurring on agreeing to that clause of the amendment striking out the words "double cousins;" it was not agreed to.

The question recurring on that portion of the amendment striking out the words "first cousins,"

The ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Bashaw, Booth, Brown, Chilton, Cock, Collins, Cowan of Christian, Crowther, Dade, Dale, Davis, Dawson, Farr, Foster, Hayes, Ham, Harrington, Knight, Lackland, Larimore, Lynn, Mahn, Miles, Moler, Mudd of St. Louis, McDaniel, McElvain, McKill, Organ, Palmer, Patterson of Schuyler, Rawlings, Swank, Tevis, Tiernan, Turner, Warren, Wells, Whitaker and Withers—40.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bonham, Boulware, Bowman, Brewer, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Gray, Hall, Hammons, Haynes, Harrigan, Harrison, Helm, Ingram, Johnson, Kniesley, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Manistre, Maynard, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKinney, Patterson of Linn, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Waggener, Weygandt, Wiley, Windes and Younger—80.

ABSENT—Messrs. Brady, Campbell of Atchison, Dilley, Gwynne, Hale, Hubbard, Kendall, O'Malley, Pollock, Taylor Vancleve, Wisby and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Craig, Dodson, Greer, Hynes, Mudd of Lincoln and Smith of Cedar—6.

SICK—Messrs. Bohannon, Burrows, Freed and Souder—4.

Mr. Dade offered the following amendment:

Amend section 11 by striking out the entire section; which was read and not agreed to.

Mr. McIntyre offered the following amendment:

Amend by inserting after the word "same," in second line of section 9 of printed bill, the following: "And payment of the fees provided for in the next preceding section;" which was read and agreed to.

Mr. Burford offered the following amendment :

Amend section 8, line 5, by striking out the words "one dollar," and insert "fifty cents;" which was read and not agreed to.

Mr. Dryden offered the following amendment :

Amend section 5 by inserting after the word "recorders," in first line, the words "of deeds," and also by inserting after the word "recorder," in first line, the words "of deeds;" which was read and agreed to.

Mr. Moler moved that the bill be indefinitely postponed ; which was not agreed to.

Mr. Davis moved to recommit the bill and amendments to the Committee on Criminal Jurisprudence.

The ayes and noes being demanded, the motion to recommit did not prevail, by the following vote :

AYES—Messrs. Ballew, Booth, Brady, Brewer, Brown, Chenoweth, Chilton, Cowan of Christian, Cowan of Holt, Dade, Davis, Foster, Lackland, Larimore, Louthan, Lynn, Mahn, Manistre, Miles, McCormick of St. Louis city, McKill, O'Malley, Palmer, Patterson of Schuyler, Phelan, Powell, Powers, Ragan, Rawlings, Riley, Settles, Tevis, Turner, Wells, Whitaker, Wiley and Withers—37.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Boulware, Bowman, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cox, Creager, Crow, Crowther, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gray, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Mabrey, Mackey, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKinney, Organ, Patterson of Linn, Pehle, Pepper, Pollard, Price, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Warren, Weygandt, Windes and Younger—82.

ABSENT—Messrs. Campbell of Atchison, Coleman, Dale, Dilley, Hale, Hubbard, Knight, Pollock, Taylor, Vancleve, Waggener, Wisby and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Craig, Dodson, Greer, Hynes, Mudd of Lincoln, Tiernan and Smith of Cedar—7.

SICK—Messrs. Bohannon, Burrows, Freed and Souder—4.

Mr. Campbell of St. Louis city offered the following amendment :
Strike out the word " blacks," and insert the word " negroes;" which was read.

Mr. Mott offered the following substitute :

Amend section two, line four, by striking out the four words "white persons and black;" which was read.

The question recurring on agreeing to the substitute, the ayes and noes were demanded, and the substitute was not agreed to by the following vote:

AYES—Messrs. Manistre, Mott, McKinney and Whitaker—4.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Withers and Younger—116.

ABSENT—Messrs. Bonham, Campbell of Atchison, Dale, Dilley, Hale, Harrigan, Hubbard, Knight, Pollock, Taylor, Vancleve, Wisby and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Craig, Dodson, Greer, Hynes, Mudd of Lincoln and Smith of Cedar—6.

SICK—Messrs. Bohannon, Burrows, Freed and Souder—4.

The question recurring on agreeing to the amendment, it was agreed to.

Mr. Chilton offered the following amendment:

Amend by striking out the word "blacks," from fourth line, second section, and insert the words "negroes, mulattoes and Indians;" which was read and agreed to.

Mr. Cock offered the following amendment:

Amend fourth section, second line, by adding after the word gospel, "or mayor of any city or incorporated town;" which was read and not agreed to.

Mr. Booth offered the following amendment:

Amend section 7:

1st. By inserting after the word "addition," in said section, the words "to such punishment, if either of the parties to such marriage be a minor;"

2d. By striking out the words "the recovery shall not exceed the sum of five hundred dollars," and inserting in lieu thereof the words "such parent, guardian or other person may recover as damages any sum not exceeding five hundred dollars ;"

3d. By striking out the word "person," in fifth line, printed bill, and insert in lieu thereof the word "minor ;"

4th. Amend by adding to said section the words "and to the like civil liability ;" which was read.

Mr. Cox moved to lay the amendment on the table ; which was not agreed to.

On motion of Mr. Cowan of Holt, the previous question was ordered.

The question recurring on agreeing to the amendment of Mr. Booth, it was not agreed to.

The question recurring on the engrossment and printing, the bill, as amended, was ordered engrossed and printed.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and found correctly enrolled House joint and concurrent resolution No. 33, entitled House joint and concurrent resolution No. 33, in relation to the revision of the Statutes of the State of Missouri ; which was read.

House joint and concurrent resolution No. 33, entitled Joint and concurrent resolution, in relation to the revision of the Statutes of the State of Missouri ; was taken up, read at length by the clerk, and signed by the Speaker without objections, and presented by the Chief Clerk to the Governor:

Mr. McIntyre, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 438, entitled An act authorizing the Governor and Attorney-General to institute proceedings for the recovery of certain moneys, beg leave to report that they have considered the same, and recommend that with the accompanying amendments herewith submitted, it do pass ; which was read.

House bill No. 438, entitled An act authorizing the Governor and Attorney-General to institute proceedings for the recovery of certain moneys ; was taken up, with the following amendments submitted by the Committee on Judiciary :

Amendment No. 1—Amend by inserting the words "to institute and prosecute," immediately after the word instructed, in the twenty-second line ; which was read and agreed to.

Amendment No 2—Amend by striking out the words “to institute and prosecute,” in twenty-third line of the bill; which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. Waggener, from the Committee on Township Organization, submitted the following report:

MR. SPEAKER: Your Committee on Township Organization, to whom was referred House bills Nos. 209 and 236, each entitled An act to provide for the organization of counties into municipal townships, and for the local government thereof;

Also, House bill No. 218, entitled An act to provide for township organization, beg leave to report that they have considered the same, and recommend that the following substitute do pass; which was read.

House bills Nos. 209, 218 and 236, each entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof, were taken up, with the substitute recommended by the Committee on Township Organization, and, on motion, the substitute was ordered printed, and made special order for Monday, March 10th.

On motion of Mr. Lesueur, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker laid before the House the following communication from the Attorney-General:

OFFICE OF ATTORNEY-GENERAL,
CITY OF JEFFERSON, February 28, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

DEAR SIR:—I have the honor to acknowledge the receipt of a duly certified copy of a resolution adopted by the House, to-wit:

“WHEREAS, By act of Congress, approved July 4, 1866, there was donated to the State of Missouri, to aid in the construction and extension of the Iron Mountain Railroad from Pilot Knob to a point on the southern boundary of the State, every alternate section of land designated by odd numbers within ten miles of either side of said road, and if said lands, or any part thereof, had been disposed by the United States, the deficit was supplied by other lands; that said railroad has been so extended and said lands have been withdrawn from market by the United States; and,

WHEREAS, It appears that said lands, so donated to the State of Missouri by the United States, cannot be bought, and are lying undisposed of ; therefore, be it

Resolved, That the Attorney-General be and he is hereby requested to report to this House, the condition of the title to said lands, and all such other facts concerning the same of which he may be, or can be, possessed."

I will state in response thereto, that the first section of the act of Congress, approved July 4, 1866 (U. S. Stat. at Large, page 83,) provides that there is thereby granted to the State of Missouri for the purpose of aiding in the construction and extension of the Iron Mountain Railroad, from its terminus at Pilot Knob to a point on the southern boundary line of the said State of Missouri, every alternate section of land designated by odd numbers, for ten sections in width on each side of said railroad, etc., upon certain conditions mentioned in other sections of said act.

Among these were the following, to-wit:

I. That said railroad was required to be constructed within five years from the first day of July, 1866.

II. That the said lands so granted to the State of Missouri should be disposed of for the purposes mentioned in the first section of said act only, in the following manner, viz:

Whenever the Governor of the said State should certify to the Secretary of the Interior that any section of ten consecutive miles of said railroad was completed, etc., and the said Secretary of the Interior should be satisfied that said State had complied in good faith with the said requirement, the said Secretary of the Interior should issue to the State patents for the said lands, and so on, from time to time, until said railroad should be completed.

III. That should said State fail to complete the said railroad within the time prescribed by said act of Congress, the lands so undisposed of should revert to the United States.

It was further provided in said act of Congress, that as soon as the Governor of said State should file, or cause to be filed with the Secretary of the Interior, maps designating the route of said railroad, then it should be the duty of the Secretary of the Interior to withdraw from market the lands embraced within the provisions of said act.

From the statement of these provisions of the act of Congress, it will be observed that said grant of lands to the State was conditional, and not absolute ; that the legal title could not emanate thereunder until the conditions therein imposed were performed by the State and the said railroad ; that upon the filing with the Secretary of the Inte-

rior of a map designating the route of said railroad, the lands mentioned were to be withdrawn from market.

I have been informed that the said map of the route of said railroad was filed with the Secretary of the Interior and that said lands were withdrawn from market, but that the said railroad was actually constructed and extended on a widely different route from that designated in said map, and that the Governor of the State has never made and can not make the certificates to the Secretary of the Interior, that said railroad, or any part thereof, has been constructed on the route indicated in said map, and consequently, no patent to the State has, or can be, issued for said lands.

I am further informed that said railroad on the said line designated in said map, has never been constructed as required by said act of Congress, or at all.

It would seem that the Congress of the United States, by the provisions of said act, empowered the Secretary of the Interior to patent said lands to the State of Missouri, upon the compliance by the said railroad company and the State of Missouri with the said conditions imposed by said act.

As the conditions precedent of said act of Congress have not been complied with, the legal title to said lands has not vested in the State of Missouri, and therefore remains in the United States.

It is my opinion further, that under the provisions of the act of the General Assembly of this State, approved March 13, 1868, (Acts of 1868, page 65,) the legal title to said lands did not pass to said railroad company.

I have the honor to be,

Very respectfully,

J. L. SMITH, Attorney-General.

Which was read.

On motion of Mr. Davis, the House went into Committee of the Whole for the further consideration of Senate bill No. 172.

Mr. Arnold in the chair.

On motion, the Committee of the Whole rose.

The Speaker took the chair and called the House to order.

Mr. Wells introduced bill No. 450, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2, at St. Joseph, and to appoint a board of commissioners to contract for the erection of said building, and the employment of convict labor therefor; which was read the first time and laid over.

Mr. Hall introduced bill No. 451, entitled An act to establish a bureau of labor statistics; which was read the first time and laid over, and ordered printed for information.

Mr. Dawson offered the following resolution :

Resolved, That the Ways and Means Committee be and are hereby instructed to ascertain what State bonds are now redeemable, and that they prepare and introduce a bill funding bonds so redeemable, at a lower rate of interest than six per cent; which was read and adopted.

Mr. Bowman introduced bill No. 452, entitled An act to amend sections 7 and 8 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877; which was read the first time and laid over.

Mr. Mott arose to a question of privilege, and stated that evidently the House misconstrued his motives and intentions in submitting his substitute to Mr. Campbell's (of St. Louis city) amendment to the marriage license law; that in offering the substitute, he wanted it distinctly understood that he was not in favor of, and he had no desire to be placed on record as being in favor of miscegnation; he was bitterly opposed to marriages between white and black persons, but that his idea in offering the substitute was that if a white man married a black woman, he should suffer the consequences of his own folly.

Mr. McDaniel moved that the amendment offered by Mr. Mott, this morning, to House bill No. 386, and the vote thereon, be expunged from the journal of the House.

The Speaker (Mr. Anderson in the chair) decided the motion out of order.

Mr. McDaniel appealed from the decision of the Chair.

Pending discussion on the appeal,

On motion of Mr. Arnold, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-SECOND DAY—SATURDAY, March 1, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Maynard, the further reading was dispensed with.

Leave of absence was granted Mr. Knight for ten days.

Leave of absence was granted Mr. Younger for ten days.

Leave of absence was granted Mr. Larimore for three days.

Leave of absence was granted Mr. Mackey for four days.

Leave of absence was granted Mr. Cook for four days.

Leave of absence was granted Mr. Brewer for eight days.

Leave of absence was granted Mr. Adams for five days.

Leave of absence was granted Mr. Tiernan for three days.

Leave of absence was granted Mr. Berryman for one day.

Leave of absence was granted Mr. Waggener for three days.

Leave of absence was granted Mr. McKill for three days.

Leave of absence was granted Mr. Dougherty for three days.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled House bill No. 122, entitled An act to prevent the licensing by municipal corporations of certain professions; which was read.

House bill No. 122, entitled An act to prevent the licensing by municipal corporations of certain professions; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bonham presented a petition from citizens of Buchanan county, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State, prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Warren presented a petition from citizens of Andrew, Harrison, Daviess and Linn counties, praying the Legislature to submit to the voters of the State, a constitutional amendment, prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Bonham presented a petition from citizens of Andrew county, praying the Legislature to pass a law re-establishing township organization; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. McKinney presented a petition from citizens of Missouri, praying the Legislature to submit to a vote of the people, an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McElvain presented a petition from citizens of Worth county, praying the Legislature to submit to a vote of the people, a constitutional amendment, prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Ballew introduced bill No. 453, entitled An act to amend section 32 of chapter 27 of the General Statutes of Missouri, entitled of County Surveyors; which was read the first time and laid over.

Mr. Bowman introduced bill No. 454, entitled An act to repeal the act entitled an act to incorporate the town of Rolla, approved January 25, 1861, and all acts amendatory and supplemental thereto; which was read the first time and laid over.

Mr. Cloud introduced bill No. 455, entitled An act to restrain breachy stock from running at large; which was read the first time and laid over.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 292, entitled An act to amend section sixteen of an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of Railroad Commissioners, and to prescribe their powers and duties, approved March 29, 1875, beg leave to report that they have considered the same, and report the same with the accompanying amendments without recommendation; which was read.

House bill No. 292, entitled An act to amend section 16 of an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of Railroad Commissioners, and to prescribe their powers and duties, approved March 29, 1875; was taken up with the following amendments submitted by the Committee on Retrenchment and Reform:

Amendment No. 1—Amend by striking out the word "eight," in the twelfth line of section one, and insert instead the word "four;" which was read and agreed to.

Amendment No. 2—Amend by striking out the word "St. Louis," in the fifteenth line of section one, and insert instead the words "Jefferson City;" which was read and agreed to.

The question recurring on the engrossment and printing of the bill, the bill, as amended, was ordered engrossed and printed.

Mr. Riley, from the Committee on Lunatic Asylums, submitted the following report:

MR. SPEAKER: Your Committee on Lunatic Asylums, to whom was referred House bill No. 226, entitled An act to establish an insane

asylum at Springfield, Greene county, Mo., to be known as the Southwestern Missouri Insane Asylum, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 226, entitled An act to establish an insane asylum at Springfield, Greene county, to be known as the Southwestern Missouri Insane Asylum; was taken up; and, on motion, laid over until Monday, March 3.

Mr. Riley, from the Committee on Lunatic Asylum, submitted the following report:

MR. SPEAKER: Your Committee on Lunatic Asylum, to whom was referred House concurrent resolution No. 35, beg leave to report that they have considered the same, and have agreed to a substitute, which they respectfully submit, which they beg will pass; which was read.

House joint and concurrent resolution No. 35, entitled Joint and concurrent resolution providing for the appointment of a committee to visit Macon City, to examine into inducements offered for the location of an insane asylum there; was taken up with the substitute recommended by the Committee on Lunatic Asylums.

Mr. Bonham offered the following amendment to the substitute: Amend as follows: "The committee to pay their own expenses;" which was read.

Mr. Finks moved that the further consideration of the resolution, substitute and amendment be postponed until Monday, March 3; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 297, entitled An act to amend section forty-four of an act dividing the State into judicial circuits, providing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 297, entitled An act to amend section 44 of an act entitled an act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of Missouri, entitled of the Supreme Court, beg leave to report that they have considered the same, and recommend that substitute herewith submitted be adopted; which was read.

House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of the State of Missouri, entitled of the Supreme Court; was taken up with the substitute recommended by the Committee on Judiciary.

On motion, the bill and substitute were laid over informally, and the substitute ordered printed for information.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 68, entitled An act declaring law journals to be newspapers, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 68, entitled An act declaring law journals to be newspapers; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the 24th judicial circuit and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections, to be known and numbered as sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the 24th judicial circuit and to provide for the election of a judge and circuit attorney therefor, approved Feb. 1, 1871, and by adding thereto the following new sections, to be known and numbered as sections 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; was taken up, and, on motion, ordered printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 121, entitled An act to amend section 48 of

chapter 121 of the General Statutes of the State of Missouri, concerning executors and administrators, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Senate bill No. 121, entitled An act to amend section 48 of chapter 121 of the General Statutes of the State of Missouri, concerning executors and administrators; was taken up.

Mr. Davis moved that the bill be rejected, which was agreed to.

Mr. McIntyre from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 122, entitled An act to amend section 21 of chapter 110, article 12 of new trials, arrest of judgments and appeals, and clerks' duties, Wagner's Statutes of Missouri, 1872, the same being section 21, chapter 172 of General Statutes of Missouri, 1865, requiring circuit clerks to docket all civil causes for trial and return cases first, in preference to criminal cases, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Senate bill No. 122, entitled An act to amend section 21 of chapter 110, article 12 of new trials, arrest of judgment, appeals, and clerks' duties, Wagner's Statutes of Missouri, 1872, the same being section 21, chapter 172 of General Statutes of Missouri, 1865, requiring circuit clerks to docket all civil causes for trial, and return cases first in preference to criminal cases; was taken up.

Mr. Arnold moved that the bill be rejected, which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 244, entitled An act to authorize the sale of real estate belonging to insane persons under guardianship, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 244, entitled An act to authorize the sale of real estate belonging to insane persons under guardianship; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State,

and directing their cancellation, beg leave to report that they have considered the same; which was read.

Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation; was taken up, and, on motion, ordered printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 166, entitled An act to amend sections 8 and 31 of chapter 38 of the General Statutes of Missouri, the same being sections 8 and 31 of article 4 of Wagner's Statutes, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 166, entitled An act to amend chapter 38 of the General Statutes of the State of Missouri; was taken up, and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 253, entitled An act amendatory of the 54th section of an act prescribing the times of holding circuit court in the county of Wayne, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 253, entitled An act amendatory of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, etc.; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 38, entitled An act to repeal an act entitled an act to authorize counties, cities and towns to compromise their indebtedness, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Banks and Corporations; which was read.

House bill No. 38, entitled An act to repeal an act entitled an act to authorize counties, cities and towns to compromise their debts; was taken up, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Riley, from the Committee on Libraries, submitted the following report:

MR. SPEAKER: Your Committee on Libraries, to whom was referred Senate bill No. 84, entitled An act to revise and amend title 11, chapter 15 of the General Statutes, concerning the State Library, and repealing all acts and parts of acts inconsistent with this act, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 84, entitled An act to revise and amend title seven, chapter fifteen of the General Statutes concerning the State Library, and repealing all acts and parts of acts inconsistent with this act; was taken up, and, on motion, ordered printed.

Leave of absence was granted Mr. McCormick for seven days.

Leave of absence was granted Mr. Moler for three days.

Leave of absence was granted Mr. Foster for one day.

Leave of absence was granted Mr. Windes for one day.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill no 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Bashaw from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 77, entitled An act to amend section 2, chapter 173, General Statutes of Missouri, entitled costs, beg leave to report said bill back to the House, and recommend that it be referred to the Committee on Judiciary; which was read.

House bill No. 77, entitled An act to amend section 2 of chapter 173 of the General Statutes of Missouri, entitled costs; was taken up, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, and, on motion, ordered printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City, Missouri, beg leave to report that they have considered the same, and recommend that the House of Representatives do concur therein; which was read.

Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City, Missouri; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Berry, Bonham, Boulware, Bowman, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Drum, Dryden, Ewing, Farr, Finks, Freed, Gray, Gwynne, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Ingram, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd, of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—94.

NOES—Messrs. Beckner, Burford and Louthan—3.

ABSENT—Messrs. Anderson, Andrews, Booth, Brady, Campbell of Atchison, Carroll, Cowan of Christian, Dale, Dilley, Ellis, Hayes, Hall, Hale, Hubbard, Johnson, Kendall, Pollock, Powell, Taylor, Tevis and Wisby—21.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Foster, Greer, Hynes, Knight, Larimore, Mackey, Moler, McCormick of Washington, McKill, Smith of Cedar, Tiernan, Turner, Waggener, Windes and Younger—22.

SICK—Messrs. Bohannon, Burrows and Souder—3.

The title of the resolution was read and agreed to.

Mr. Davis moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud-horse liens, vendors' liens, personal property, hotel and boarding house keepers' liens, contractors' material, men and laborers' liens, railroads and equitable liens and notices; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 211, entitled An act concerning the assessment, levy and collection of taxes, and the disbursement thereof; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute for Senate bill No. 55, entitled An act to revise and amend title 10 of the General Statutes of Missouri, relating to public records, and supplying records and papers lost or destroyed; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 450, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2, at St. Joseph, and to appoint a board of commissioners to contract for the erection of said building, and the employment of convict labor therefor; was called up, read the second time, and, on motion, referred to the Committee on Asylums.

House bill No. 452, entitled An act to amend section 7 and section 8 of article 1 of an act entitled for the government of cities of the fourth class, approved May 15, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Lesueur introduced bill No. 456, entitled An act to regulate warehouses and the storage of grain in warehouses and to prevent fraud in handling; which was read the first time and laid over.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that they have taken up House amendment to the joint rules pertaining to the printing of engrossed bills for the use of both Houses, and adopted the same; which was read.

House joint and concurrent resolution No. 6, entitled Joint and concurrent resolution memorializing Congress for the improvement of White river; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Holt, Cox, Creager,

Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Gwynne, Ham, Hammons, Haynes, Harrington, Harrison, Hayes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—99.

ABSENT—Messrs. Anderson, Booth, Brady, Campbell of Atchison, Carroll, Cowan of Christian, Dilley, Dryden, Hall, Hale, Harrigan, Hubbard, Louthan, Pepper, Pollock, Settles, Taylor, Vancleve and Wisby—29.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Foster, Greer, Knight, Larimore, Mackey, Moler, McCormick of Washington, McKill, Smith of Cedar, Tiernan, Turner, Waggener, Windes and Younger—21.

SICK—Messrs. Bohannon, Burrows and Souder—3.

The title of the resolution was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 50, entitled An act to repeal an act entitled an act to encourage destruction of rats, approved Marsh 20, 1877; was called up, read the third time and failed to pass by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Bryan, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Diercks, Drum, Freed, Gray, Gwynne, Hall, Ham, Harrison, Helm, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mahn, Manistre, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Pehle, Pollard, Powers, Price, Settles, Smith of St. Louis city, Swank, Talbot, Tevis, Weygandt, Whitaker, Wiley and Withers—63.

NOES—Messrs. Arnold, Burford, Campbell of St. Louis city, Carleton, Chilton, Collins, Davis, Dawson, Ellis, Ewing, Farr, Finks, Hammons, Haynes, Harrington, Hynes, Ingram, Mabrey, Maynard, Mott, Mudd of St. Louis, McDaniel, McIntyre, Organ, Palmer, Patterson of Linn, Phelan, Ragan, Rawlings, Riley, Reynolds, Saunders, Spring and Wells—34.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Foster, Greer, Knight, Larimore, Mackey, Moler, McCormick of Washington, McKill, Smith of Cedar, Tiernan, Turner, Waggener, Windes and Younger—21.

ABSENT—Messrs. Booth, Brady, Brown, Campbell of Atchison, Carroll, Cowan of Christian, Dilley, Dryden, Hayes, Hale, Harrigan, Hubbard, Lackland, Patterson of Schuyler, Pepper, Pollock, Powell, Taylor, Vancleve, Warren, Wisby and Mr. Speaker—22.

SICK—Messrs. Bohannon, Burrows and Souder—3.

Mr. Burford moved to reconsider the vote by which the bill failed to pass.

Mr. Davis moved to lay that motion on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Arnold, Carleton, Chilton, Cowan of Holt, Davis, Dawson, Ellis, Ewing, Farr, Finks, Gray, Haynes, Hynes, Ingram, Kneisley, Mabrey, Organ, Palmer, Patterson of Linn, Powers, Ragan, Rawlings, Riley, Saunders, Spring and Wells—26.

NOES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Bryan, Burford, Campbell of St. Louis city, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Diercks, Drum, Dryden, Freed, Gwynne, Hall, Ham, Hammons, Harrison, Helm, Johnson, Kendall, Lesueur, Lockhart, Louthan, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Price, Reynolds, Settles, Smith of St. Louis city, Talbot, Tevis, Waggener, Weygandt, Whitaker, Wiley and Withers—70.

ABSENT—Messrs. Booth, Brady, Brown, Campbell of Atchison, Carroll, Cowan of Christian, Dilley, Hayes, Hale, Harrigan, Harrington, Hubbard, Lackland, Lynn, Mudd of St. Louis, O'Malley, Pepper, Pollock, Swank, Taylor, Vancleve, Warren, Wisby and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Foster, Greer, Knight, Larimore, Mackey, Moler, McCormick of Washington, McKill, Smith of Cedar, Tiernan, Turner, Windes and Younger—20.

SICK—Messrs. Bohannon, Burrows and Souder—3.

By consent of the House, Mr. Burford withdrew his motion to reconsider the vote by which the bill failed to pass.

Mr. Patterson of Schuyler moved to reconsider the vote by which the bill failed to pass; which was agreed to.

On motion of Mr. Tevis, the House adjourned until Monday morning at 9 o'clock.

FORTY-THIRD DAY—MONDAY, March 3, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the Rev. Mr. Barrett.

The journal of Saturday was being read, when,

On motion of Mr. Belch, the further reading was dispensed with.

The House resumed consideration of House bill No. 50, entitled An act to repeal an act to encourage the destruction of rats, approved March 20, 1877; which was pending when the House adjourned on Saturday.

The question recurring on the passage of the bill, the roll was called, and the bill again failed to pass by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Brown, Bryan, Burrows, Chitwood, Cloud, Cock, Coleman, Cooper, Cox, Creager, Crow, Crowther, Dade, Drum, Freed, Gray, Greer, Gwynne, Ham, Harrison, Johnson, Kendall, Lesueur, Lockhart, Lynn, Manistre, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McKinney, Patterson of Schuyler, Pehle, Powers, Price, Smith of Cedar, Swank, Talbot, Tevis, Tiernan and Whitaker—53.

NOES—Messrs. Arnold, Brady, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Collins, Davis, Dawson, Dilley, Dryden, Ellis, Ewing, Finks, Foster, Hammons, Haynes, Harrington, Hynes, Helm, Ingram, Kneisley, Lackland, Mabrey, Mahn, Maynard, McDaniel, McIntyre, O'Malley, Organ, Palmer, Patterson of Linn, Pepper, Phelan, Pollock, Powell, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Warren, Wells, Weygandt, Wiley and Mr. Speaker—49.

ABSENT—Messrs. Booth, Chilton, Dale, Diercks, Farr, Hayes, Hall, Hale, Harrigan, Hubbard, Louthan, Mudd of St. Louis, Pollard, Ragan, Taylor, Waggener, Windes and Wisby—18.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Knight, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—16.

SICK—Messrs. Bohannon, Cowan of Holt, Cowan of Christian, Campbell of Atchison, Souder, Vancleve and Withers—7.

Messrs. Vancleve, Souder, Cowan of Holt, Withers and Campbell of Atchison were reported sick.

Leave of absence was granted Mr. Berryman for one day.

Leave of absence was granted Mr. Mott for two days.

Mr. Wiley presented a petition from citizens of Moberly, Randolph county, praying the Legislature to submit to the voters, an amendment to the State Constitution, prohibiting the manufacture and sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Rawlings presented a petition from citizens of Shelby county, praying the Legislature for the enactment of a law prohibiting the manufacture and sale of intoxicating liquors; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Warren presented petitions from citizens of Shelby county, Audrain county, Pike county and Marion county, praying the Legislature to submit to a vote of the people of the State, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Davis presented a petition from the citizens of Saline county, praying the Legislature to submit to a vote of the people, a constitutional amendment, forever prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Cowan of Christian was reported sick.

Mr. Davis presented a petition from citizens of Missouri, praying the Legislature to repeal the law allowing the construction of barbed wire fences, and to pass a law to compel railroad companies to fence their roads immediately; which was read, and on motion, referred to Committee on Agriculture.

Mr. Burford presented a petition from citizens of Cape Girardeau, praying the Legislature to submit to the voters of the State, a constitutional amendment, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Crow presented a petition from citizens of Crawford county in relation to the sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Belch offered the following resolution, which was read and adopted:

WHEREAS, The Warden of the Penitentiary has failed to make an itemized report of the receipts and expenditures of said institution as required by the act of the General Assembly approved, 1877; and,

WHEREAS, The same is important, not only in acting on the appropriation bill, but in view of the enactment of a law to govern the same institution in the future; therefore be it

Resolved, That the Warden of the Missouri Penitentiary be, and he is hereby required, to report at the earliest possible time the amounts received by said institution from the appropriation made therefor, and from all other sources, giving full particulars and items thereof, as well as the number of convicts contracted or hired out, the names of the contractors or persons to whom they were hired, and the amount received from each person; the number employed in the service of the State, the particular employment, and the articles manufactured and the amount received therefor; the number and names of the officers and employes of the institution, the amount paid to each, and the manner of payment; the amount of flour and quality purchased, from whom it was purchased and the amount paid to each person; the number of pounds of beef purchased, the persons from whom the purchases were made, and the price paid to each; the amount of bacon and pork purchased, from whom purchased, the price per pound and the amount paid to each person; the number of pounds of other meats purchased, and the price paid therefor; the amount, kind and cost of fuel, from whom purchased, and amount paid each person; the amount of sugar, molasses and coffee, from whom purchased, and the amount paid to each person. That the Warden state by what authority is the State charged with interest paid, and to whom and on what account paid.

Resolved, further, That the Warden report whether all the contractors working convict labor within the walls have been supplied with all the labor they demanded, and if not, state the reason therefor; and further state if any partiality has been shown to contractors, either by filling the orders of some in preference to others, or furnishing some contractors with long-time men, or men for other reasons more profitable.

To the end that the House be possessed of the foregoing facts at an early day, the Clerk is instructed to deliver a copy of these resolutions to the Warden to-day.

Mr. Freed offered the following resolution:

Resolved, That the Committee on Enrolled Bills be and they are hereby authorized to rent a room for the use of the enrolling department, and that the same be paid for out of the contingent fund of the House; which was read and adopted.

Mr. Manistre offered the following resolution :

WHEREAS, The practical effect of the contract system of letting convict labor operates injuriously to the different trades of the State, compelling honest mechanics who are endeavoring to support their families by honest toil to compete against underpaid labor of the felons whose crimes have forced them into confinement; and

WHEREAS, It should be the policy of the State to encourage its artisans and stimulate the youth of the State to the learning of trades; therefore be it

Resolved, That the Committee on Penitentiary be instructed to diligently inquire into the matter and to report back to the House what legislation is necessary to bring about the above results; which was read and, on motion, referred to the Committee on Penitentiary.

Mr. Gray introduced a joint and concurrent resolution entitled Joint and concurrent resolution for the formation of the State of North Missouri; which was read the first time and laid over.

Mr. Dade introduced bill No. 457, entitled An act to amend section 8, chapter 48 of Wagner's Missouri Statutes, entitled dram-shops, dramshop-keepers and their licenses; which was read the first time and laid over.

Mr. Settles introduced bill No. 458, entitled An act providing for the taxation of insurance companies; which was read the first time and laid over.

Mr. Maynard introduced bill No. 459, entitled An act in relation to insurance; which was read the first time and laid over.

Mr. Hall introduced bill No. 460, entitled An act to repeal sections 3 and 4 of an act entitled an act to promote the payment of jurors in St. Louis county, approved January 29, 1847, and section 19 of an act entitled an act to provide for the reorganization of the St. Louis Circuit Court, and regulate proceedings therein, approved December 19, 1865; which was read the first time and laid over.

Mr. Freed introduced bill No. 461, entitled An act for the relief and benefit of S. W. Smith and J. R. Jones, of Benton county; which was read the first time and laid over.

Mr. Vancleve introduced bill No. 462, entitled An act to provide for the exemption of certain property from execution, attachment and sale, and to repeal all former laws inconsistent herewith; which was read the first time and laid over.

Mr. Warren introduced bill No. 463, entitled An act to amend an act entitled of change of venue in civil cases, General Statutes, chapter 158, page 633, Wagner's Statutes, chapter 142, page 1355, and to repeal section 2 of an act entitled an act to provide for the holding of courts by the judge of another circuit, and for the selection of a tem-

porary judge in certain cases, approved May 19, 1877; which was read the first time and laid over.

Mr. Bashaw introduced bill No. 464, entitled An act relating to the employment of deputy clerks of the Supreme Court; which was read the first time and laid over.

Mr. Dryden introduced bill No. 465, entitled An act to amend sections 4 and 5 of an act entitled an act to authorize the sale of fractional section 16, township 45 north, range 7, east, approved March 3, 1851, and to add another section to said amended act, called section 8, giving the Municipal Assembly of the city of St. Louis power to fill vacancies in the Board of Commissioners; which was read the first time and laid over.

Mr. Foster introduced bill No. 466, entitled An act commuting the time of imprisonment of persons confined in the county and city jails under sentence therein; which was read the first time and laid over.

Mr. Carleton introduced bill No. 467, entitled An act to prevent public drunkenness; which was read the first time and laid over.

Mr. Louthan introduced bill No. 468, entitled An act to amend section 77 of chapter 55 of the General Statutes, entitled executions; which was read the first time and laid over.

Mr. Dryden introduced bill No. 469, entitled An act to amend section 23 of chapter 146 of the General Statutes of the State of Missouri, entitled of jurors; which was read the first time and laid over.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 133, entitled An act to amend section 8 of chapter 48 of Wagner's Statutes, entitled dramshops, beg leave to report the same back to the House without recommendation; which was read.

House bill No. 133, entitled An act to amend section 8 of chapter 48 of Wagner's Statutes, entitled dramshops; was taken up.

Mr. Dade moved that the bill be recommitted to the Committee on Judiciary; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 391, entitled An act in relation to pawnbrokers, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Criminal Jurisprudence; which was read.

House bill No. 391, entitled An act in relation to pawnbrokers; was taken up, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 309, entitled An act regulating pawnbrokers, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Criminal Jurisprudence; which was read.

House bill No. 309, entitled An act regulating pawnbrokers; was taken up, and, on motion, recommitted to the Committee on Criminal Jurisprudence.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 243, entitled An act to amend an act to amend section 32 of article 8 of chapter 42 of Wagner's Missouri Statutes, the same being section 32 of chapter 206 of the General Statutes of 1865, approved March 16, 1877, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 243, entitled An act to amend section 32 of article 8 of chapter 42 of Wagner's Missouri Statutes, the same section 32 of chapter 206 of the General Statutes of 1865, approved March 16, 1877; was taken up.

Mr. Davis moved that the bill be laid on the table; which was agreed to.

House bill No. 451, entitled An act to establish a bureau of labor statistics; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 453, entitled An act to amend section 32 of chapter 27 of the General Statutes of Missouri, entitled of county surveyors; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 454, entitled An act to repeal the act entitled an act to incorporate the town of Rolla, approved January 25, 1861, and all acts amendatory and supplementary thereto; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 455, entitled An act to restrain breachy stock from running at large; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 456, entitled An act to regulate warehouses and the storage of grain in warehouses, and to prevent fraud in handling grain; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed substitute for House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State; also,

That the Senate has taken up and passed House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; also,

House bill No. 45, entitled An act to prevent the netting of fish in the "Cut off," situated on the southeast quarter of section 10 and the northeast quarter of section 15, township 57, range 24, Livingston county, Mo.; also,

House bill No. 89, entitled An act to amend chapter 70, General Statutes of Missouri, being article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of two new sections thereto, as 14 and 15; in which the concurrence of the House is respectfully requested; which was read.

On motion, Senate amendments to House bill No. 11 were ordered printed.

House bill No. 186, entitled An act to amend section 49 of an act entitled an act deviding the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Christian, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur,

Lockhart, Louthan, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Vancleve, Warren, Wells, Weygandt, Whitaker and Wiley—105.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Berryman, Cook, Craig, Dodson, Dougherty, Knight, Larimore, Mackey, McKill, McCormick of Washington, Moler, Mott, Turner and Younger—16.

ABSENT—Messrs. Booth, Brady, Carroll, Chilton, Hayes, Hale, Harrigan, Hubbard, Lynn, Mudd of St. Louis, Powell, Souder, Taylor, Waggener, Windes, Wisby and Mr. Speaker—17.

SICK—Messrs. Campbell of Atchison, Cowan of Holt, Farr and Withers—4.

The title of the bill was read and agreed to.

Mr. Patterson of Linn moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved March 28, 1877, the same being amendatory of section 135 of chapter 118 of Wagner's Missouri Statutes; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Boulware, Bowman, Brady, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cooper, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Finks, Foster, Gray, Greer, Gwynne, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Morrison, Mudd of Lincoln, McDaniel, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt and Wiley—92.

NOES—Messrs. Bonham, Dale, Freed, Hynes and Miles—5.

ABSENT—Messrs. Andrews, Berryman, Booth, Carroll, Chilton, Cock, Diercks, Farr, Hayes, Hale, Harrigan, Hubbard, Louthan, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Pollard, Powell, Taylor, Tiernan, Waggener, Whitaker, Windes and Wisby—24.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Cook, Craig, Dougherty, Knight, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner, Younger and Mr. Speaker—15.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt, Souder, Vancleve and Withers—7.

Mr. Davis offered the following amendment to the title of the bill:

Strike out "March 28, 1877," and insert "April 28, 1877;" which was read and agreed to.

The title, as amended, was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing of bonds to cover the indebtedness so created; was taken up.

Mr. Davis offered the following amendment:

Amend section 2 of line 2 of printed bill, by striking out the words, "any purpose authorized by law," and insert the words, "the purpose of building a court-house or jail;" which was read and agreed to.

Mr. Davis offered the following amendment:

Amend section 3, line 6 of printed bill, by inserting before the word "and," at the beginning of said line, the words, "the rate of the increase of the tax levy;" which was read and agreed to.

Mr. Davis offered the following amendment:

Amend section 7, line 11, by striking out all after the word "purposes," at the beginning of said line in printed bill; which was read and agreed to.

The question being upon the passage of the bill, the bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Andrews, Arnold, Berry, Bonham, Boulware, Bowman, Brady, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed,

Gray, Greer, Gwynne, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Warren, Wells, Whitaker, and Wiley—91.

NOES—Messrs. Alldridge, Ballew, Bashaw, Beckner, Brown, Hynes, Pehle, Pollard, Smith of Cedar, and Weygandt—10.

ABSENT—Messrs. Anderson, Bohannon, Booth, Carroll, Chilton, Farr, Hayes, Hale, Harrigan, Hubbard, Kendall, Knight, Louthan, Mudd of St. Louis, Souder, Taylor, Tevis, Waggener, Windes, Wisby and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Tiernan, Turner and Younger—16.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

The question being on the adoption of the emergency clause, the roll was called, and it was adopted by the following vote:

AYES—Messrs. Anderson, Andrews, Arnold, Bashaw, Berry, Bonham, Boulware, Bowman, Brady, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hall, Ham, Hammons, Haynes, Harrington, Harrison, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Warren, Wells, Whitaker and Wiley—97.

NOES—Messrs. Alldridge, Beckner, Brown, Pehle, and Weygandt—5.

ABSENT—Messrs. Ballew, Bohannon, Booth, Chilton, Farr, Hale, Harrigan, Hayes, Hubbard, Hynes, Kendall, Knight, Louthan, Mudd of St. Louis, Pollard, Souder, Taylor, Waggener, Windes, Wisby and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—15.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

The title of the bill was read and agreed to.

Mr. Arnold moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 305, entitled An act to provide for the transferring of unexpended balances in county treasuries; was taken up read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hall, Ham, Hammons, Hayes, Harrison, Hynes, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Morrison, Mudd of Lincoln, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Warren, Wells, Weygandt, Whitaker and Wiley—97.

NOES—Mr. Cooper—1.

ABSENT—Messrs. Bohannon, Booth, Chilton, Farr, Haynes, Hale, Harrigan, Harrington, Hubbard, Helm, Kendall, Knight, Maynard, Mudd of St. Louis, McCormick of St. Louis city, Palmer, Pepper, Pollock, Settles, Souder, Taylor, Waggener, Windes, Wisby and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—15.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

The title of the bill was read and agreed to.

Mr. Powers moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House concurrent resolution No. 8, entitled Joint and concurrent resolution instructing our Senators and requesting our Representa-

tives to vote for and support, by all honorable means, the bill now pending before Congress, placing the enrolled militia of the several States in the late war upon an equality with the regular volunteer soldiers of the United States with respect to the right of homestead, as provided by section 2,306 of the Revised Statutes of the United States; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Cock, Coleman, Collins, Cooper, Cox, Crow, Crowther, Dade, Davis, Diercks, Dilley, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Ham, Hammons, Haynes, Harrison, Hynes, Helm, Ingram, Johnson, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Mudd of Lincoln, McDaniel, McElvain, McKinney, O'Malley, Organ, Patterson of Linn, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Tiernan, Warren, Wells, Weygandt, Whitaker and Wiley—82.

NOES—Messrs. Chitwood, Cloud, Dawson, Kneisley, McGarry, Swank and Talbot—7.

ABSENT—Messrs. Anderson, Bashaw, Bohannon, Booth, Brewer, Chilton, Creager, Dale, Farr, Hayes, Hall, Hale, Harrigan, Harrington, Hubbard, Kendall, Knight, Louthan, Morrison, Mudd of St. Louis, McCormick of St. Louis city, McIntyre, Palmer, Patterson of Schuyler, Pepper, Pollock, Riley, Settles, Souder, Taylor, Tevis, Waggener, Windes, Wisby and Mr. Speaker—35.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—14.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

The title of the resolution was read and agreed to.

Mr. Ingram moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House concurrent resolution No. 17, entitled Concurrent resolution in relation to opening the Indian Territory; was taken up, read the third time, and failed to pass, by the following vote:

AYES—Messrs. Ballew, Berry, Boulware, Bowman, Brady, Brown, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Creager, Crow,

Crowther, Davis, Diercks, Dilley, Ellis, Finks, Foster, Freed, Gray, Gwynne, Hall, Ham, Hammons, Johnson, Kneisley, Lesueur, Mahn, Maynard, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, Organ, Patterson of Linn, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Weygandt, Wiley and Wisby—60.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Beckner, Bonham, Burford, Burrows, Cox, Dade, Dale, Dawson, Drum, Ewing, Greer, Haynes, Harrington, Harrison, Hynes, Helm, Ingram, Lackland, Lockhart, Louthan, Lynn, Mabrey, Miles, Morrison, McElvain, McGarry, McIntyre, McKinney, O'Malley, Palmer, Patterson of Schuyler, Powell, Powers, Riley, Smith of Cedar, Warren, Wells and Whitaker—42.

ABSENT—Messrs. Bashaw, Bohannon, Booth, Chilton, Dryden, Farr, Hayes, Hale, Harrigan, Hubbard, Kendall, Knight, Manistre, Mudd of St. Louis, Pollock, Souder, Taylor, Tevis, Waggener, Windes and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—15.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

House bill No. 270, entitled An act providing for the election of the Commissioner of the Permanent Seat of Government; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Alldridge, Anderson, Bashaw, Beckner, Berry, Bonham, Brady, Brewer, Brown, Bryan, Burrows, Campbell of St. Louis city, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cooper, Cox, Crow, Crowther, Dilley, Drum, Finks, Foster, Gray, Greer, Hammons, Harrington, Harrison, Hynes, Helm, Kneisley, Lesueur, Lockhart, Lynn, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Pehle, Pollard, Powell, Price, Ragan, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Tevis, Warren, Weygandt, Whitaker, Wiley and Wisby—67.

NOES—Messrs. Arnold, Burford, Bowman, Dade, Dale, Davis, Dawson, Diercks, Dryden, Ellis, Ewing, Freed, Gwynne, Hall, Ham, Haynes, Ingram, Lackland, Louthan, Mabrey, Mahn, Manistre, McElvain, Patterson of Schuyler, Phelan, Powers, Reynolds, Settles, Spring, Talbot, Tiernan and Wells—32.

ABSENT—Messrs. Andrews, Ballew, Bohannon, Booth, Boulware, Carleton, Chilton, Cock, Creager, Farr, Hayes, Hale, Harrigan, Hub-

bard, Johnson, Kendall, Knight, Mudd of St. Louis, Pepper, Pollock, Souder, Taylor, Waggener, Windes and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Cook, Craig, Dodson, Dougherty, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—14.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Vancleve and Withers—5.

Mr. Organ moved to reconsider the vote by which the adverse report of the Committee on Criminal Jurisprudence on House bill No. 261 was agreed to, and to enter that motion on the journal; which was ordered.

Mr. Hall moved to reconsider the vote by which House bill No. 270 failed to pass.

Mr. Powers moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Bashaw, Bowman, Brady, Bryan, Burford, Carroll, Chenoweth, Dade, Dale, Davis, Dawson, Dryden, Ewing, Finks, Freed, Gwynne, Ham, Haynes, Harrington, Ingram, Kneisley, Louthan, Mabrey, Mahn, Manistre, McCormick of St. Louis city, McElvain, McGarry, Patterson of Linn, Patterson of Schuyler, Powers, Ragan, Settles, Spring, Talbot, Tiernan and Wells—37.

NOES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bonham, Boulware, Brown, Burrows, Campbell of St. Louis city, Chitwood, Cloud, Cock, Coleman, Collins, Cooper, Cox, Crow, Crowther, Diercks, Dilley, Drum, Ellis, Foster, Greer, Hall, Hammons, Harrison, Hynes, Helm, Johnson, Lesueur, Lockhart, Lynn, Maynard, Miles, Morrison, McDaniel, McIntyre, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Price, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Warren, Whitaker, Wiley and Wisby—60.

ABSENT—Messrs. Arnold, Bohannon, Booth, Brewer, Carleton, Chilton, Creager, Farr, Gray, Haynes, Hale, Harrigan, Kendall, Lackland, Mudd of Lincoln, Mudd of St. Louis, Pollock, Reynolds, Souder, Taylor, Tevis, Waggener and Weygandt—23.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Cook, Craig, Dodson, Dougherty, Hubbard, Knight, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner, Windes, Younger and Mr. Speaker—18.

SICK—Messrs. Campbell of Atchison, Cowan of Christian, Cowan of Holt, Withers and Vancleve—5.

The question recurring on the motion to reconsider, it was agreed to.

The question recurring on the passage of the bill, the roll was called, and the bill again failed to pass by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Bonham, Boulware, Brady, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cooper, Cox, Crowther, Diercks, Dilley, Drum, Finks, Foster, Greer, Hall, Hammons, Harrington, Harrison, Hynes, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Manistre, Maynard, Morrison, Mudd of Lincoln, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Pehle, Phelan, Pollard, Powell, Price, Riley, Saunders, Smith of Cedar, Swank, Warren, Weygandt, Whitaker, Wiley and Wisby—62.

NOES—Messrs. Arnold, Ballew, Bowman, Carleton, Crow, Dade, Dale, Davis, Dawson, Dryden, Ellis, Ewing, Freed, Gwynne, Ham, Haynes, Ingram, Louthan, Mabrey, Mahn, Miles, McDaniel, McElvain, Patterson of Linn, Patterson of Schuyler, Pepper, Powers, Ragan, Rawlings, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan and Wells—37.

ABSENT—Messrs. Booth, Carroll, Chilton, Collins, Creager, Farr, Gray, Hayes, Hale, Harrigan, Hubbard, Helm, Kendall, Lackland, Mudd of St. Louis, McCormick of St. Louis city, Pollock, Taylor, Waggener, Windes and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Adams, Berryman, Brewer, Cook, Craig, Dodson, Dougherty, Knight, Larimore, Mackey, Moler, Mott, McCormick of Washington, McKill, Turner and Younger—16.

SICK—Messrs. Bohannon, Cowan of Holt, Cowan of Christian, Campbell of Atchison, Souder, Vancleve and Withers—7.

On motion of Mr. McIntyre, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-FOURTH DAY—TUESDAY, March 4, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells the further reading was dispensed with.

Leave of absence was granted Mr. Gray for ten days.

Mr. Powers moved to reconsider the vote by which House bill No. 253 was ordered to engrossment and printing; which was agreed to.

House bill No. 253, entitled An act amendatory of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, etc., approved April 28, 1877; was taken up, and, on motion, recommitted to the Committee on Judiciary.

Mr. Andrews presented a petition from citizens of Missouri, praying the Legislature to repeal all laws granting licences for the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Moler presented a petition from citizens of Bates county, praying the Legislature to submit to the voters of the State, a constitutional amendment, prohibiting the manufacture, importation and sale of intoxicating drinks in the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Warren presented a petition from citizens of Linn county, praying the Legislature to submit to the voters of the State, a Constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and on motion, referred to the Committee on Constitutional Amendments.

Mr. Carleton presented a petition from citizens of Pemiscot county, praying the Legislature to submit to the voters of the State a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Warren presented a petition from citizens of Polk county, praying the Legislature to submit to a vote of the people, an amendment to the Constitution, prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Miles presented a petition from citizens of Dent county, praying the Legislature to submit to the voters of the State, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McIntyre offered the following resolution:

Resolved, That the resolution adopted by this House, February 21, 1879, requiring the Secretary of State to furnish each member of

this House a copy of Wagner's Statutes of 1872, and a copy of Meyers' supplement, and that the cost of such books be paid out of the contingent fund of the House, be and the same is hereby rescinded; which was read and adopted.

Mr. Ewing offered the following resolution:

WHEREAS, The House of Representatives has already expended much time in the discussion of plans to locate and re-establish Asylum No. 2, at great expense to the State; and,

WHEREAS, It is generally assented the present financial condition of the State is such as to make the incurring of further indebtedness at this time a violation of the Constitution; therefore, be it

Resolved, That the State Auditor is hereby requested to submit to the House of Representatives a statement showing the present condition of the revenue fund, the amount of bonds falling due this year and the provisions for their payment, the approximate condition of the revenue fund on the first of September next, and out of what fund the reported deficit of \$286,000 must be met; also such further information as shall lead the House of Representatives to an intelligent determination of the financial condition of the State; which was read and adopted.

Mr. Maynard offered the following resolution:

Resolved, That the Fund Commissioners of the State be requested to furnish this House all information at their command, regarding any and all bonds and coupons now outstanding that are liable to re-issue, or to be in any way affected by the provisions of Senate bill No. 238; which was read and adopted.

Mr. Chilton introduced bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22; which was read the first time and laid over.

Mr. Johnson introduced bill No. 471, entitled An act to amend sections 1 and 2 of an act entitled an act to regulate the practice of medicine and surgery in this State, approved April 28, 1877; which was read the first time and laid over.

Mr. Moler introduced bill No. 472, entitled An act to amend section 14 of chapter 99, of Wagner's Statutes, entitled mortgages, the same being section 14, chapter 153 of the General Statutes; which was read the first time and laid over.

Mr. Hammons introduced bill No. 473, entitled An act to provide a uniform system of county courts, and prescribe their powers and duties; which was read the first time and laid over.

Mr. McKinney introduced bill No. 474, entitled An act to authorize the sale of property, real and personal, escheated to the State; which was read the first time and laid over

Mr. Rawlings introduced bill No. 475, entitled An act to amend section 13 of article 5 of Wagner's Statutes, entitled settlement of the accounts of executors and administrators, the same being section 13, chapter 124 of the General Statutes; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 476, entitled An act to amend section 10 of article 6 of Wagner's Missouri Statutes, entitled distribution of estates, the same being section 10, chapter 125 of the General Statutes; which was read the first time and laid over.

Mr. Windes introduced bill No. 477, entitled An act to repeal section 5 of chapter 6 of Wagner's Missouri Statutes, entitled animals, restraint of stallions, rams, bulls, boars and diseased animals, and renumbering other sections of said chapter; which was read the first time and laid over.

Mr. Haynes introduced bill No. 478, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, the same being section 3 of article 2 of chapter 42 of Wagner's Missouri Statutes; which was read the first time, and laid over.

The Speaker laid before the House the following communication from the Superintendent of Public Schools:

OFFICE OF STATE SUPERINTENDENT PUBLIC SCHOOLS, }
JEFFERSON CITY, Mo., February 26, 1879. }

To the Honorable House of Representatives, Thirtieth General Assembly, State of Missouri:

I have the honor of submitting the following response to the resolution this day adopted by the House of Representatives, calling upon me for certain information touching the condition and management of the State Normal Schools.

The first division of the resolution calls for a list of students attending each of the Normal Schools of the State, including each department, namely: School of Practice, Preparatory Department and Normal Proper, with the age of each student.

The age of each student is never furnished the State Superintendent. A list of the names of students is furnished, usually, only in the catalogues. The catalogues of the present school year are not published, and since I have no means of knowing the facts sought by this part of the resolution except the catalogues, the reports of the princi-

pals at the close of each school year, and the records which are always subject to the inspection of the regents, it is manifestly impossible for me to furnish what this part of the resolution calls for, until I shall have transmitted a copy thereof to each Normal School and have received their several answers. I have this day caused copies of the resolution to be mailed to the principals of each school, requesting an immediate answer. In the meantime, the facts which I am able to give you, and herein presented, may answer the purpose of the resolution.

The second division requires me to state whether there is in each, or any of the normal schools of this State, a preparatory department, for the education of children who should attend the district schools, and if the teachers of said department are paid with State funds.

In the normal schools at Kirksville and Warrensburg, there are no practice nor preparatory departments. The Boards of Regents require, that before any one shall be admitted to the lowest class, the applicant must be at least fourteen years old, and must first pass a creditable written examination in spelling, reading, descriptive geography, elements of English grammar, and arithmetic as far as percentage. The average age of the students admitted to the school in Warrensburg, for the last school year, was 19 years. I am of the opinion that when the answer to the resolution is made by the principal of the school at Kirksville, it will be found that the average age is still greater.

When these schools were in their infancy, and that class of students for which they were designed had not applied for admission in sufficient numbers to fill the class rooms, or engage the full time of the faculties, the Boards of Regents thought it right to permit the localities in which they were situated, and which had given the State respectively \$100,000 and \$170,000 in school property to enjoy the privilege of sending their younger children, especially while their attendance did not interfere with the legitimate work of the faculties. But this state of facts continued only a few years. Teachers of experience, and those who designed to become teachers, applied for admission in numbers which called into requisition all the resources of the schools, and the Boards of Regents at once closed the doors against all save those for whom the schools were established.

The Normal School at Cape Girardeau is the youngest school, and is following Warrensburg in this regard, as Warrensburg followed Kirksville. This school has a preparatory department, which it utilizes as a practice school for its advanced pupils. But it is not the policy of this school, as it has never been the purpose or policy of any

of the Boards of Regents to establish or maintain a department for the education of children, who should attend the district schools.

The last part of this division of the resolution asks whether the teachers of said department are paid with State funds. Interpreting the expression *State funds* to mean the appropriation made by the Legislature, I answer, no. The State appropriation is not at all adequate to maintain the exclusively professional or normal work, and this work draws the amount of the deficiency from the sum realized from the incidental fees.

The third division asks whether students can not teach one month in the school of practice, and be released from any further teaching in this State?

They can not. The amount of teaching done by students, as practice work, enters into no agreement with the Board of Regents; it forms no part, expressed or implied, of the pledge to teach in the State of Missouri. The object of the Normal Schools is to fit teachers for the public schools, and not to secure teachers for themselves, and hence the obligation to teach commences after, not before the student leaves the training school.

The fourth division requires me to state the number of students from other States in each of said schools, and if said students pay the same tuition as Missouri students?

It will not be possible to state how many are now in attendance from other States, until the principals shall have sent me an answer to the resolution. But the report from the Warrensburg school for last year, which I transmitted to your honorable body, and which the House ordered to be printed, gives the number from Missouri (31 counties) as 443, and the number from other States, 9; number pledged to teach in Missouri, 382. A large majority of the remaining 70 who did not pledge, stated that they attended for the specific and only purpose of preparing themselves for teaching, but that they preferred to pay the additional \$4, which the Board invariably adds to the incidental fee of those who will not make this written pledge to teach.

The students who come from other States, or register from other States, are treated precisely as other students from Missouri. In case a student from another State pledges to teach in Missouri, he pays only the incidental fee of \$16. If he does not pledge, he pays \$20 per session. This is for Warrensburg. For Kirksville there is no difference in cost on account of the pledge; the fee is kept at the higher figure, \$20, and all pay it. At Cape Girardeau the fee is \$8, without increase for failure to pledge to teach. This matter is regulated by each Board, (there is a separate Board for each school) according to

the necessities of each case and the pecuniary ability of the class of students applying in each section.

The reports from Kirksville and Cape Girardeau for last year, heretofore submitted by me to your honorable body, do not show the number in attendance last year from other States, nor was in necessary they should do so, since the catalogues for that year supply this information. The catalogue of the Kirksville Normal shows that, out of an enrollment of 534 students, 66 registered from other States. The office copy of the catalogue of the Southeast school has been borrowed and not returned to me, but for a preceding year I find that out of an attendance of 229 students, 12 were from other States.

In conclusion, permit me to say that the foregoing is as full an answer as can be made, at present, to the resolution.

I have the honor to be,

Very respectfully,

R. D. SHANNON,

State Sup't Public Schools.

Which was read.

Mr. Hall moved that the communication be printed.

Mr. Davis moved to lay that motion on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote :

AYES—Messrs. Anderson, Arnold, Bashaw, Berryman, Brown, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cox, Crow, Dale, Davis, Dawson, Dryden, Gwynne, Ham, Haynes, Harrington, Harrison, Hubbard, Helm, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Swank, Tiernan, Vancleve, Warren and Weygandt—57.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Berry, Bonham, Booth, Boulware, Bowman, Brady, Bryan, Burford, Burrows, Cloud, Cooper, Creager, Dade, Diercks, Dilley, Drum, Ellis, Ewing, Freed, Greer, Hall, Hammons, Hynes, Ingram, Johnson, Lackland, Louthan, Mahn, Manistre, Maynard, Miles, Mott, McCormick of St. Louis city, McKinney, Pehle, Pepper, Pollard, Powell, Powers, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Wells, Whitaker, Wiley, Windes and Withers—55.

ABSENT—Messrs. Crowther, Dougherty, Farr, Finks, Foster, Hayes, Harrigan, Kendall, McKill, O'Malley, Pollock, Waggener and Wisby—13.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Cook, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—13.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The Speaker laid before the House the following communication from the Superintendent of Public Schools:

DEPARTMENT OF PUBLIC SCHOOLS, }
OFFICE OF SUPERINTENDENT, }
JEFFERSON CITY, February 28, 1879. }

To the Honorable House of Representatives, Thirtieth General Assembly, State of Missouri:

In response to the resolution adopted by the House, on yesterday, requesting the State Superintendent "to report to this House the names of teachers in each of the Normal Schools, and the amount of salary paid each, the past session; also the amount received from students of each of said schools, for tuition or other fees, the past session," I respectfully submit:

The biennial reports of the Missouri Normal Schools, submitted to the General Assembly and printed for its use, by order of the Senate, shows salaries paid teachers for the past session, as follows:

FIRST DISTRICT NORMAL SCHOOL.—LOCATED AT KIRKSVILLE.

J. Baldwin, Principal.....	\$2,060
W. P. Nason.....	1,260
B. S. Potter.....	1,260
Miss M. T. Henderson.....	900
J. U. Barnard.....	800
G. W. Krall.....	800
J. W. Shryock.....	240
T. B. Smith.....	720
M. M. Thomas.....	360
C. H. Ford.....	240
Total.....	<hr/> \$8,640

SECOND DISTRICT NORMAL SCHOOL.—LOCATED AT WARRENSBURG.

Report to Legislature does not give the names of teachers and amount of salary to each; but I transmitted a copy of the resolution to the Principal of this school, on yesterday, and received from him, by to-day's mail, the information sought. It is:

Geo. L. Osborne, Principal.....	\$2,300
Richard C. Norton, Vice-Principal.....	1,500

John J. Campbell.....	\$1,500
Wm. F. Bahlemann.....	1,500
Miss Ida M. Carhart.....	800
Miss Kate Lowen.....	350
John T. Paden.....	350
John N. Summers, Penmanship, 2 hours daily.....	140
Total.....	\$8,440

The report of the board shows \$8,387.50 as the total. The difference of \$52.50 is accounted for by the statement of President Osborne, that Mr. Fike, the Secretary of the Board of Regents, is at the death-bed of his mother; that, hence, he (Osborne) can not inspect the official record, and that the pay to Mr. Paden and Miss Lowen, as above given, is approximate.

THIRD DISTRICT NORMAL SCHOOL.—LOCATED AT CAPE GIRARDEAU.

Report to Legislature shows an aggregate amount of salaries paid to teachers as \$6,120, but does not itemize. A copy of the resolution was sent to the Principal, and the items will be given when his answer is received.

RECEIPTS FROM INCIDENTAL FEES.

The report to the Legislature shows the amount received for incidental fees for the school at

Warrensburg, (page 6 of report).....	\$3,828 20
Cape Girardeau, (page 8 of report).....	845 00

The names of the teachers of the Cape Girardeau Normal School, with the amount of salary paid each, together with the exact amount of incidental fees received by the Kirksville Normal School, (the only two items embraced in the resolution which I am, at present, unable to give) will be reported when I shall have received answers to the resolution from the two schools mentioned.

Since my answer to the resolution of the 27th inst., I have received responses to said resolution from the Principal of the Normals, which I transmit herewith and submit to your consideration.

With these reports is supplied an answer to each and every question submitted to me, in the resolution of the 27th and 28th of March, except the amount of contingent fees at Kirksville.

I have the honor to be,

Very respectfully,

Your obedient servant,

R. D. SHANNON,

State Sup't Public Schools.

Which was read.

On motion of Mr. Anderson, the House went into Committee of the Whole, for the further consideration of Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880.

Mr. Arnold in the chair.

On motion of Mr. McIntyre, the Committee rose.

The Speaker took the chair, and called the House to order.

Mr. Arnold, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again to-morrow at 10 o'clock A. M.; which was granted.

The following message was received from the Senate through its Secretary, Mr. Pemberton.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county, in which the concurrence of the House is respectfully requested; which was read.

The following message was received from the Governor, through its Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, March 4th, 1879. }

To the Speaker of the House:

SIR:—I return to the House of Representatives joint resolutions respecting the revision of the laws, with my approval endorsed thereon.

Very respectfully,

JOHN S. PHELPS.

Which was read.

On motion, the House proceeded to the election of four committeemen, as provided for in House joint and concurrent resolution No. 33, in relation to the revision of the statutes of Missouri.

Mr. Arnold moved that the House elect as said committeemen, on the part of the House, the members appointed by the Speaker under a former resolution on revision, as follows: Messrs. McDaniel, Dryden, McIntyre and Anderson; which was agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined and find correctly enrolled, House bill No. 89, entitled An act to amend chapter 70 of the General Statutes of Missouri, being

article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by adding new sections thereto, as sections 14 and 15.

Also, House bill No. 45, entitled An act to prevent the seining of fish in the "Cut-off," situated on the southeast quarter of section (10) ten, and northeast quarter of section (15) fifteen, township fifty-seven (57,) range twenty-four (24,) Livingston county, Missouri.

Also, House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read.

House bill No. 45, entitled An act to prevent the netting of fish in the "Cut-off," situated on the southeast quarter of section ten (10,) and the northeast quarter of section fifteen (15,) township fifty-seven, range twenty-four (24,) Livingston county, Missouri; was taken up, read at length by the clerk, signed by the Speaker, without objection, and presented by the Chief Clerk to the Governor.

House bill No. 30, entitled An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read at length by the clerk, signed by the Speaker, without objection, and presented by the Chief Clerk to the Governor.

House bill No. 89, entitled An act to amend chapter 70 of the General Statutes of Missouri, being article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of new sections thereto, as sections 14 and 15; was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 211, entitled an act concerning the assessment, levy and collection of taxes, and the disbursement thereof, beg leave to report that they have considered the same, report it back without recommendation; which was read.

Senate bill No. 211, entitled An act concerning the assessment, levy and collection of taxes, and the disbursement thereof; was taken up.

Mr. Louthan moved that the bill be recommitted to the Committee on Judiciary, for the purpose of having such provisions inserted

therein as will extend the benefits of said bill to incorporated towns and cities; which was not agreed to.

The bill was then read the third time and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Brady, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Dilley, Drum, Ewing, Finks, Freed, Greer, Gwynne, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—103.

NOES—Messrs. Bashaw, Cooper, Dryden, Ellis, Hall, Johnson, Lackland, Manistre and Mott—9.

ABSENT—Messrs. Bowman, Campbell of St. Louis city, Diercks, Dougherty, Farr, Hayes, Harrigan, Kendall, McCormick of St. Louis city, McKill, Taylor, Tiernan and Waggener—13.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Cook, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner and Younger—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt, Foster and Souder—6.

The question being upon the adoption of the emergency clause, the roll was called, and the emergency clause was adopted by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Brady, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Dilley, Drum, Ewing, Finks, Freed, Greer, Gwynne, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ra-

gan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—101.

NOES—Messrs. Bowman, Cooper, Dryden, Ellis, Hall, Johnson, Lackland, Larimore and Manistre—9.

ABSENT—Messrs. Bashaw, Campbell of St. Louis city, Diercks, Dougherty, Farr, Foster, Hayes, Harrigan, Kendall, Morrison, McCormick of St. Louis city, McKill, Pollock, Taylor, Tiernan and Waggener—16.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Cook, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner and Younger—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Phelan introduced bill No. 479, entitled An act to repeal section 2 of an act entitled an act in relation to the public institutions of the State, approved April 28, 1877; which was read the first time and laid over.

Mr. Andrews introduced bill No. 480, entitled An act for the payment of Peter J. Diercks, and to appropriate money therefor; which was read the first time and laid over.

On motion of Mr. Davis, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem* Campbell in the Chair.

The Speaker laid before the House the following communication from the Secretary of State:

CITY OF JEFFERSON, March 4, 1879.

HON. J. ED. BELCH, Speaker House of Representatives:

SIR—Some days ago a resolution passed the House of Representatives, instructing the Secretary of State to purchase for the use of each member of the House one copy of Wagner's Statutes of 1872, with appendix.

There being no appropriation for this purpose, and having ascertained that the Committee on Accounts were not disposed to allow

the payment of so large a bill out of the contingent expenses of the House, I did not take any steps in the matter, and now deem it proper to report this fact to your honorable body.

Very respectfully,

Your obedient servant,

MICH'L. K. McGRATH,

Secretary of State.

Which was read.

House bill No. 76, entitled An act to amend section 33, chapter 189 of the General Statutes of Missouri; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Gwynne, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Maynard, Miles, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Linn, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Spring, Swank, Talbot, Tiernan, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes and Wisby—92.

NOES—Messrs. Cloud, Manistre and Tevis—3.

ABSENT—Messrs. Berry, Brady, Carleton, Davis, Dawson, Farr, Foster, Freed, Hayes, Hall, Harrigan, Harrington, Johnson, Kendall, Kneisley, Moler, Morrison, Mudd of St. Louis, McKill, O'Malley, Patterson of Schuyler, Pehle, Pollock, Powell, Smith of Cedar, Smith of St. Louis city, Taylor, Waggener, Wiley and Withers—30.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Cook, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—13.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The title of the bill was read and agreed to.

Mr. McGarry moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bills Nos. 130, 116, 172 and 167, entitled An act to regulate the compensation of members of the General Assembly, and their officers and employees; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Creager, Crow, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ewing, Greer, Ham, Hammons, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Miles, Morrison, Mudd of Lincoln, McElvain, McIntyre, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Reynolds, Saunders, Settles, Spring, Talbot, Vancleve, Warren, Wells, Weygandt, Whitaker, Wisby and Withers—79.

NOES—Messrs. Arnold, Bashaw, Booth, Carroll, Chilton, Crowther, Ellis, Finks, Freed, Gwynne, Hall, Haynes, Helm, Lackland, Manistre, Maynard, Mott, McCormick of St. Louis city, McDaniel, McGarry, O'Malley, Phelan, Ragan, Riley, Smith of St. Louis city, Swank, Tevis, Tiernan and Windes—29.

ABSENT—Messrs. Brady, Carleton, Dawson, Foster, Farr, Hayes, Harrigan, Kendall, Kneisley, Moler, Mudd of St. Louis, McKill, Pollock, Rawlings, Smith of Cedar, Taylor, Waggener and Wiley—19.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian and Cowan of Holt—4.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 134, entitled An act to provide for the punishment of the officers of defaulting banks or banking institutions; was taken up and read the third time.

Mr. Davis moved to reconsider the vote by which the bill was ordered to a third reading.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Cox, Davis, Dryden, Harrington, Lynn, Maynard, Morrison, Mudd of St. Louis, McDaniel, McElvain, McGarry, Rawlings, Saunders, Settles, Tevis and Wells—17.

NOES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Cole-

man, Collins, Cook, Cooper, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Greer, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McCormick of St. Louis city, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Vancleve, Warren, Whitaker, Wiley, Windes, Wisby and Withers—94.

ABSENT—Messrs. Brady, Farr, Foster, Gwynne, Hayes, Haynes, Harrigan, Kendall, Moler, McKill, Patterson of Schuyler, Pollock, Powell, Taylor and Weygandt—15.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The question recurring on the passage of the bill, the roll was called, and the bill passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Vancleve, Warren, Whitaker, Wiley, Windes, Wisby and Withers—100.

NOES—Messrs. Campbell of St. Louis city, Cock, Cox, Davis, Harrington, McDaniel, O'Malley, Saunders, Settles, Tevis and Wells—11.

ABSENT—Messrs. Brady, Farr, Foster, Gwynne, Hayes, Haynes, Harrigan, Kendall, Moler, McKill, Pollock, Powell, Taylor and Waggener—14.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Weygandt, Younger and Mr. Speaker—13.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The title of the bill was read and agreed to.

Mr. Spring moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 238, entitled An act to provide for issuing duplicate State bonds or coupons, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 238, entitled An act to provide for issuing duplicate State bonds and coupons; was taken up, and,

On motion of Mr. Maynard, the bill was postponed until Friday, March 7.

House bill No. 1, entitled An act in relation to the State Treasury; was taken up, with the following Senate amendments:

Amendment No. 1.—Amend section 1 by inserting the words, "in this State," after the word "institutions," at end of seventh line, and before the word "as," at beginning of eighth line.

Amendment No. 2.—Amend section 2 by inserting after the word "effect," in first line, the words, "and as often thereafter as may become necessary."

Amendment No. 3.—Amend section 4 by striking out the words "bid for keeping State funds," in second and third lines, and inserting in lieu thereof the words, "bid for the safe keeping and payment of deposits of the State funds."

Amendment No. 4.—Amend section 5 by inserting after the word "upon," in 11th line, the following words: "And if in any case bonds of the United States or of the State of Missouri, are not satisfactory security to the Governor and Attorney-General, for deposits made under this act, they may require such additional security to be given as shall be satisfactory to them."

Amendment No. 5.—Amend section 5 by adding thereto the following words, "any bank making deposit of bonds with the State Treasurer under the provisions of this act, may cause such bonds to be so endorsed or stamped as they may deem proper, so as to show they are deposited as collateral and are not transferable, except upon the conditions of this act."

Amendment No. 6—Amend section 11 by inserting in line 6 after the words, “moneys or any part thereof,” the following, “or any bonds deposited by any bank under the provisions of this act,” also, by adding after the word, “act,” in 10th line, the words, “or for retaining or disposing of said bonds according to law.”

Amendment No. 7—Amend by striking out section 12, and inserting in lieu thereof the following, viz :

Section 12. The State Treasurer shall, immediately after his election or appointment, execute and deliver to the Governor for his approval, a bond to the State of Missouri, in the sum of five hundred thousand dollars, with not less than ten securities, residents of this State, conditioned for the faithful performance of all the duties required of him by law, whether as Treasurer, or in any other capacity in which he may *ex officio* act in virtue of being State Treasurer; and for the safety of the State funds and securities in his custody; which bond shall be renewed every two years, and as much oftener as the Governor and Attorney-General may require and the safety of the public funds demand; if the State Treasurer shall fail to give the bond required in this section, within sixty days after the issuing of his certificate of election or appointment, or to renew such bond in accordance with the provisions of this act, within thirty days after the time prescribed by law for the renewal of the same, or of the time he may be required by the Governor to give a new bond, or if such bond be not approved, then within twenty days after the refusal of the Governor to approve such bond, his office shall become *ipso facto* forfeited, and the board of Fund Commissioners shall take possession of the same, and supervise the business of said office until the vacancy in such office is filled in the manner prescribed by law. And it is made the duty of the Governor and Attorney-General, at least once in every six months, to examine the official bond of the State Treasurer as to its solvency, and if the solvency of such bond has become impaired from any cause, they shall require such Treasurer to give such additional security, as in their judgment may be deemed necessary to make the said bond good and sufficient, for the security of the trusts reposed in such Treasurer, and if such Treasurer fail to give such additional security, within thirty days after he shall be so required, his office shall thereby be forfeited, and the board of Fund Commissioners shall take charge of the same, as is in this section provided, in case of a State Treasurer failing to give or renew his bond as above required in this section. The provisions of this section shall apply to the Treasurer now in office, and if he shall fail or refuse to give and execute a sufficient bond in accordance with the provisions of this act, within thirty days after this act takes effect, then his office shall be-

come vacant and the Fund Commissioners shall perform like duties, and the vacancy be filled in like manner as prescribed in this section, in case of vacancies in the office of State Treasurer; which were read and concurred in by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Gwynne, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—112.

NOES—Mr. Hynes—1.

ABSENT—Messrs. Brady, Carroll, Farr, Foster, Hayes, Haynes, Kendall, McKill, Pepper, Pollock, Powell, Taylor and Waggener—13.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

Senate amendment No. 8—Amend by striking out all of section 15, and inserting the following in lieu thereof:

Section 15. There being no law in existence to enforce the provisions of sections 15, 16 and 17 of article 10 of the Constitution, such fact is declared to constitute an emergency requiring this act to take effect at once, therefore this act shall take effect and be in force from and after its passage; which was read, and concurred in by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis,

Ewing, Finks, Freed, Greer, Gwynne, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—115.

ABSENT—Messrs. Brady, Farr, Foster, Haynes, Hayes, Kendall, McKill, Pollock, Powell, Taylor and Waggener—11.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

Mr. Wells moved to reconsider the vote by which Senate amendments were concurred in, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lesueur, from the Committee on Penitentiary, submitted the following report:

MR. SPEAKER: Your Committee on Penitentiary, to whom was referred House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was taken up.

On motion of Mr. Lesueur, 250 copies were ordered printed.

Substitute for joint and concurrent resolution No. 35, entitled Joint and concurrent resolution providing for the appointment of a committee to visit Macon county to examine into inducements offered for the location of an insane asylum there; was taken up.

The pending amendment, providing that the committee pay their own expenses; was agreed to.

On motion of Mr. Davis, the resolution was recommitted to the Committee on Insane Asylums.

House bill No. 139, entitled An act to amend section 2, chapter 14 of the General Statutes of Missouri, so as to create the Governor,

Attorney-General and State Auditor commissioners of the State interest fund; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Brown, Bryan, Burrows, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Gwynne, Hall, Ham, Hammons, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Withers—102.

NOES—Mr. Cooper—1.

ABSENT—Messrs. Bowman, Brady, Burford, Farr, Foster, Hayes, Haynes, Harrigan, Harrington, Hynes, Kendall, McIntyre, McKill, McCormick of St. Louis city, Pollock, Price, Powell, Rawlings, Tiernan, Taylor, Vancleve, Waggener and Whitaker—23.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Younger and Mr. Speaker—12.

SICK—Messrs. Bohannon, Campbell of Atchison, Cowan of Christian, Cowan of Holt and Souder—5.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. McCormick of St. Louis, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-FIFTH DAY—WEDNESDAY, March 5, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cloud, the further reading was dispensed with.

Mr. McCormick of St. Louis city offered the following resolution:

WHEREAS, It is of the utmost importance that the people should know that the funds which are raised by taxation, licenses and otherwise, are properly applied;

WHEREAS, The principal officers, such as the collector of revenue, the sheriff, the recorder of deeds, and the city marshal of the city of St. Louis, the circuit and criminal clerks of the eighth judicial circuit, the probate judge, and such other officers as exercise official functions by virtue of State authority and law, receive fees, commissions and emoluments aggregating an unknown sum, but believed to exceed the proper compensation of any officer; and in order that intelligent legislation may be had concerning these matters; be it

Resolved, That a committee of five members of this body be appointed to sit in the cities of St. Louis and Jefferson, who shall be vested with full power to call before them witnesses, to send for persons and papers, to enforce the attendance of witnesses, administer oaths for the purpose of taking testimony and ascertaining the facts in the premises, to be reported to this House at an early day; which was read and adopted.

The Speaker appointed as said committee, Messrs. McCormick of St. Louis, Hall, Lesueur, Harrington and Arnold.

Mr. Lockhart offered the following resolution:

Resolved, That the Superintendent of Public Schools be requested to furnish to the House a statement of the number of teachers and other employes of the State University, and the amount paid annually to each for their services; also, to furnish an estimate of the other expenses connected with the current expenses of the State University; which was read and adopted.

Mr. Mudd of St. Louis offered the following resolution:

Resolved, That Paul Schweitzer, Ph. D., Professor of Chemistry of the State University, be requested to deliver his lecture on Petroleum—its commercial importance, its uses and dangers as an illuminating oil, and that the use of this hall be tendered him for that purpose on Wednesday evening, the 12th instant; which was read and adopted.

Mr. Bonham introduced a concurrent resolution entitled Concurrent resolution submitting to a vote of the people an amendment to the Constitution forbidding the loaning to or depositing in any bank of the moneys of the State; which was read the first time and laid over.

Mr. Larimore introduced bill No. 481, entitled An act in relation to the number of persons who shall compose county courts; which was read the first time and laid over.

Mr. Dougherty introduced bill No. 482, entitled An act to amend section 67 of chapter 46 of the General Statutes of the State of Missouri, in relation to loaning school moneys; which was read the first time and laid over.

Mr. Windes introduced bill No. 483, entitled An act to amend sections 2 and 3 of article 1 of chapter 118 of Wagner's Missouri Statutes, entitled revenue; which was read the first time and laid over.

Mr. Riley, from the Committee on Lunatic Asylums, submitted the following report:

MR. SPEAKER: Your Committee on Lunatic Asylums, to whom was recommitted House joint and concurrent resolution No. 35, beg leave to report that they have reconsidered said joint and concurrent resolution, and beg leave to report a substitute thereof, and recommend that it do pass; which was read.

House joint and concurrent resolution authorizing the appointment of a committee to visit various localities for the purpose of relocating Asylum No 2; was taken up with the substitute, recommended by the Committee on Lunatic Asylums.

The substitute was read.

Mr. Gwynne offered the following amendment:

Amend by adding to the names of the places to be visited, that of the property known as the Widow and Orphans' Home, near the City of Kansas; which was read and agreed to.

The substitute, as amended, was read and agreed to, and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 289, entitled An act to regulate the scale of fees to be collected by county clerks, circuit clerks and recorders of deeds in the State of Missouri, beg leave to report back to the House the following substitute, without recommendation; which was read.

House bill No. 289, entitled An act to regulate the scale of fees to be collected by county clerks, circuit clerks and recorders of deeds in the State of Missouri; was taken up, with the substitute submitted by the Committee on Retrenchment and Reform.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 162, entitled An act for the relief of W. D. Bishop, late assessor of the county of Ralls, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 162, entitled An act for the relief of W. D. Bishop, late assessor of the county of Ralls; was taken up, and, on motion of Mr. Wells, the bill was laid on the table.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 303, entitled An act to amend section 20 of an act entitled An act in relation to roads and highways, providing for establishing, opening repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by adding an additional proviso thereto, beg leave to report they have considered the same, and recommend that it be referred to the Committee on Judiciary; which was read.

House bill No. 303, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by adding an additional proviso thereto; was taken up, and, on motion, recommitted to the Committee on Judiciary.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 423, entitled An act to provide for inspectors of elections in certain cases, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 423, entitled An act to provide for the appointment of inspectors of elections in certain cases; was taken up, and, on motion, ordered engrossed and printed.

Mr. Pollock, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your Committee on Justices of the Peace, to whom was referred House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, third edition, concerning the jurisdiction of justices' courts, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, third edition, concerning the jurisdiction of justices' courts; was taken up.

Mr. Pehle moved that the further consideration of the bill be postponed until Tuesday, March 11, and that 250 copies be printed; which was agreed to.

Mr. Pollock, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your Committee on Justices of the Peace, to whom was referred House bill No. 169, entitled An act concerning the duties of sheriff and constables in the State of Missouri, and report the same without recommendation, and ask that it be printed for information; which was read.

House bill No. 169, entitled An act concerning the duties of sheriffs and constables in the State of Missouri; was taken up, and, on motion of Mr. Pollock, the bill was ordered printed for information.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 15, providing for an amendment to the Constitution of this State, regulating the jurisdiction of the St. Louis Court of Appeals, beg leave to report that they have considered the same, and have agreed upon five several amendments thereto, herewith presented and numbered respectively 1, 2, 3, 4 and 5; and your Committee respectfully recommend the adoption of said resolution as amended by said amendments; which was read.

House concurrent resolution No. 15, entitled Concurrent resolution, submitting to the qualified voters of the State of Missouri an amendment to the Constitution of said State, regulating the jurisdiction of the St. Louis Court of Appeals, was taken up with the following amendments, recommended by the Committee on Constitutional Amendments:

Amendment No. 1.—Amend by striking out the words "the Senate," in the first line, and inserting the same in the second line of the resolution, after the word "Representatives;" which was read and agreed to.

Amendment No. 2.—Amend by inserting the word "first," after the word "follows," in the third line of the resolution; which was read and agreed to.

Amendment No. 3.—Amend by adding the following section, to-wit: Second. Those of the qualified voters of this State who favor

the adoption of this amendment, may, at the election aforesaid deposit a written or printed ballot in this form: "St. Louis Court of Appeals, regulating the jurisdiction thereof—Yes." And those of the qualified voters of this State who oppose the adoption of this amendment, may deposit a written or printed ballot in this form: "St. Louis Court of Appeals, regulating the jurisdiction thereof—No." And the vote on the adoption of this amendment shall be taken and the returns thereof shall be made and canvassed in all respects as is or may be provided by law for the election and returns of State officers. If a majority of the votes cast at said election shall be in favor of this amendment, the same shall be adopted, and shall become a part of the Constitution from the time of the final canvass of the vote in the presence of the two Houses of the General Assembly; which was read and agreed to.

Amendment No. 4.—Strike out the words "twenty-five hundred," wherever they occur, and insert in lieu thereof the words "three thousand;" which was read and agreed to.

Amendment No. 5.—Amend by inserting the following words, to-wit: "And in all cases of divorce and alimony," after the word "misdemeanor," in the 8th line of second page; which was read and agreed to.

The question being on engrossment and printing of the resolution as amended, was ordered engrossed and printed.

The Special Committee appointed to investigate the officers of the City of St. Louis, was granted leave of absence for one week.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 7, for amendment of the Constitution providing for a "Supreme Court Commission," beg leave to report that they have considered the same, and have agreed upon nine several amendments thereto, numbered respectively 1, 2, 3, 4, 4½, 5, 6, 7 and 8, and herewith presented; and your Committee respectfully recommend that the said resolution as amended, be adopted; which was read.

House concurrent resolution No. 7, entitled Concurrent resolution of General Assembly providing a Supreme Court Commission, was taken up with the following amendments, recommended by the Committee on Constitutional Amendments:

Amendment No. 1—Amend by striking out of the seventh line of the first page the words "the Senate," and insert the same in the same line after the word "Representatives."

Amendment No. 2—Amend by prefixing in the seventh line of first page to word “that” the word “first.”

Amendment No. 3—Amend by inserting in ninth line of first page, between “the” and “Tuesday,” the word “first,” and by striking out of the same line the words next following, and in lieu thereof insert the word “after.”

Amendment No. 4—Amend by inserting in the thirteenth line, first page, after the word “Missouri,” the words “which said additional section, if adopted, shall be known as section 45.”

Amendment No. 4 $\frac{1}{2}$ —Amend by striking out “of commissioners” in the fourteenth and fifteenth lines of first page.

Amendment No. 5—Amend by striking out “five” in sixteenth line of first page, and by inserting in lieu thereof the word “three.”

Amendment No. 6—Amend by inserting in fourth line of second page, after “office,” the words “from the date of his appointment,” and by inserting in the same line, after the word “for,” the words “a term not exceeding.”

Amendment No. 7—Amend by striking out of third line of fourth page, “by appointment by the Supreme Court,” and by striking out of the fourth line of fourth page, “appointment of said.”

Amendment No. 8—Amend by adding the following section, viz.:

Second, Those of the qualified voters of this State who favor the adoption of this amendment, may, at the election aforesaid, deposit a written or printed ballot in this form: “Supreme Court Commission—Yes.”

And those of the qualified voters of this State who oppose the adoption of this amendment, may deposit a written or printed ballot in this form: “Supreme Court Commission—No.”

And the vote on the adoption of this amendment shall be taken, and the returns thereof made and canvassed, in all respects as is or may be provided by law for the election and returns of State officers. If a majority of the votes cast at said election shall be in favor of this amendment, the same shall be adopted, and shall become a part of the Constitution from the time of the final canvass of the vote in the presence of the two Houses of the General Assembly.

The amendments were read and agreed to.

Mr. Gwynne offered the following amendment:

Amend line six, page three, by striking out the following words, “said commission shall hold their session at such place or places as the Supreme Court may order, at such times and for such periods as may be prescribed by order of the Supreme Court,” and insert in lieu thereof the following: “Said commission shall hold its session at the City of Jefferson, at such times and for such periods as may be neces-

sary for the speedy transaction of the business committed to its charge;" which was read and agreed to.

Mr. Pepper moved to reconsider the vote by which the amendment offered by Mr. Gwynne was agreed to.

The motion to reconsider did not prevail.

On motion of Mr. Louthan, the resolution, as amended, was ordered printed, and made special order for Wednesday, March 12th.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor; was taken up, and, on motion, the bill was ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 242, entitled An act for the relief of Wm. Mathews & Co., and appropriate money to pay their claim against the State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 242, entitled An act for the relief of Wm. Mathews & Co., and to appropriate money to pay their claim against the State; was taken up.

Mr. Pehle moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Creager, Crow, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Finks, Freed, Greer, Gwynne, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Morrison, Mott, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Price, Rawlings, Riley, Reynolds,

Saunders, Smith of St. Louis city, Swank, Tevis, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Withers—89.

NOES—Messrs. Arnold, Boulware, Brady, Burford, Carleton, Carroll, Cox, Crowther, Ewing, Hall, Harrington, Lackland, Maynard, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Powers, Ragan, Smith of Cedar, Spring, Talbot and Taylor—24.

ABSENT—Messrs. Davis, Dawson, Farr, Foster, Hayes, Haynes, Kendall, McDaniel, McIntyre, Settles, Tiernan, Waggener, Wisby and Pollock—14.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Vancleve, Younger and Mr. Speaker—13.

SICK—Messrs. Cowan of Christian, Cowan of Holt and Souder—3.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 379, entitled An act to appropriate money to repay David Voeth of Ste. Genevieve county, Missouri, for money in pursuing, apprehending and bringing to justice horse thieves, beg leave to report that they have considered the same, and return it without recommendation; which was read.

House bill No. 379, entitled An act to appropriate money to repay David Voeth, of Ste. Genevieve county, Missouri, for money expended and bringing to justice horse thieves; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred Substitute for House bills Nos. 4 and 31, with amendments offered in the House, having had the same under consideration, beg leave to report back to the House without recommendation, the following substitute, and asked that it be printed for information; which was read.

Substitute for House bills Nos. 4 and 31, entitled An act to provide for the infliction of corporal punishment in certain cases; was taken up.

Mr. Hall moved that the bill be printed and made special order for Thursday of next week; which was not agreed to.

Mr. Saunders offered the following amendment:

Amend by striking out the enacting clause; which was read.

Mr. Moler moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Alldridge, Andrews, Beckner, Berry, Bonham, Brady, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Creager, Dade, Dilley, Dryden, Ellis, Foster, Freed, Greer, Gwynne, Ham, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Lockhart, Louthan, Lynn, Mabrey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Tiernan, Warren, Weygandt, Whitaker and Withers—75.

NOES—Messrs. Anderson, Arnold, Ballew, Bashaw, Berryman, Bohannon, Booth, Boulware, Bowman, Brown, Burrows, Carleton, Collins, Cox, Crow, Crowther, Dale, Davis, Diercks, Dougherty, Drum, Ewing, Finks, Hall, Hammons, Haynes, Kneisley, Lackland, Larimore, Lesueur, Mahn, McDaniel, McIntyre, McKill, Organ, Pehle, Pollard, Spring, Swank, Talbot, Tevis, Wells, Wiley and Windes—44.

ABSENT—Messrs. Dawson, Farr, Hayes, Kendall, Mudd of St. Louis, Settles, Waggener and Wisby—8.

ABSENT WITH LEAVE—Messrs. Adams, Brewer, Craig, Dodson, Gray, Hale, Knight, Mackey, McCormick of Washington, Turner, Vancleve, Younger and Mr. Speaker—13.

SICK—Messrs. Cowan of Christian, Cowan of Holt and Souder—3.

Mr. Bryan moved to reconsider the vote by which the bill was indefinitely postponed.

Mr. Gwynne moved to lay that motion on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Alldridge, Andrews, Beckner, Berry, Bonham, Brady, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Creager, Dade, Dilley, Dryden, Ellis, Freed, Gwynne, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Lockhart, Louthan, Lynn, Mabrey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Tiernan, Warren, Weygandt, Whitaker and Withers—70.

NOES—Messrs. Anderson, Ballew, Bashaw, Berryman, Bohannon, Booth, Boulware, Bowman, Brown, Burrows, Collins, Cox, Crow, Crowther, Dale, Dougherty, Drum, Ewing, Finks, Greer, Ham, Hammons, Haynes, Kneisley, Lackland, Larimore, Mahn, Mudd of St. Louis, McDaniel, McIntyre, McKill, Organ, Pehle, Pollard, Spring, Swank, Talbot, Tevis, Wells, Wiley and Windes—41.

ABSENT—Messrs. Chilton, Davis, Dawson, Diercks, Farr, Foster, Hayes, Kendall, Pollock, Settles, Waggener and Wisby—12.

ABSENT WITH LEAVE—Messrs. Adams, Arnold, Brewer, Craig, Dodson, Gray, Hall, Hale, Knight, Lesueur, Mackey, McCormick of Washington, McCormick of St. Louis city, Turner, Vancleve, Younger and Mr. Speaker—17.

SICK—Messrs. Cowan of Christian, Cowan of Holt and Sonder—3.

The Speaker laid before the House the following communication from the Superintendent of Public Schools:

JEFFERSON CITY, March 5, 1879.

To the Honorable House of Representatives, Thirtieth General Assembly, State of Missouri:

In answer to the resolution just adopted by the House calling upon the Superintendent of Public Schools "to furnish to this House a statement of the number of teachers and other employes of the State University and the amount paid annually to each for their services," etc., I respectfully submit: First—That such information is not furnished me. Second—A copy of the resolution has been furnished the President of the Board of Curators, with the request that he will answer as soon as possible. When his answer is received, I will take pleasure in transmitting it to your honorable body.

I have the honor to be, very respectfully,

R. D. SHANNON, State Sup't.

Which was read.

The Speaker laid before the House the following communication from the Fund Commissioners:

CITY OF JEFFERSON, March 5, 1879.

To the Honorable the House of Representatives:

In compliance with a resolution of your honorable body, adopted March 4, we beg to say that we have no positive data that will enable us to give a full report of such bonds and coupons as will be effected by the enactment of Senate bill No. 238. We, however, submit herewith a statement of the bonds that have matured, but have not been presented for payment up to December 24, 1878, (when our agent in New York furnished us their last statement of bonds paid),

showing when they become due and when the last interest was paid thereon.

Very respectfully,

THOS. HOLLADAY, State Auditor,	} Fund Commis-	
ELIJAH GATES, State Treasurer,		sioners State
By E. T. NOLAND, Chief Clerk.		of Missouri.

Which was read.

On motion of Mr. Louthan, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-SIXTH DAY—THURSDAY, March 6, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Crow, the further reading was dispensed with.

Mr. Warren presented petitions from citizens of St. Louis city, Callaway, Pemiscot, Shelby, Audrain, Adair, Clay, Sullivan and Pike counties, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, within the State; which were read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Smith of St. Louis city presented a petition from citizens of St. Louis city, praying the Legislature to submit a constitutional amendment to a vote of the people, entirely prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Collins presented a petition from citizens of Lafayette county, praying the Legislature for the enactment of a law prohibiting the shooting, killing or taking of wild geese on the bars of all streams throughout the State; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Talbot presented a petition from citizens of Montgomery county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, im-

portation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Ellis presented a petition from citizens of Nodaway county, praying the Legislature to establish the township organization law for the government of the several townships of that county; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Cook presented a petition from ministers, praying the Legislature to pass a law to relieve ministers of the gospel from the unjust liabilities they are exposed to, in administering the rites of marriage, under the present system; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Collins offered the following resolution:

Resolved, That the use of this hall be tendered ex-Governor B. Gratz Brown and J. B. Merwin, on Tuesday evening next, for the purpose of addressing the members of this House upon the propriety of adopting the resolution offered by Mr. Arnold, relative to constitutional amendment prohibiting the manufacture and sale of intoxicating liquors.

Resolved, further, That the consideration of said resolution be postponed until this day week, at 10 o'clock, A. M.; which was read and adopted.

Mr. Chenoweth offered the following resolution:

Resolved, That the use of this hall be tendered to S. D. Carpenter, on Wednesday week, for the purpose of an address on the subject of railway transportation and the right and policy of restrictive legislation thereon; which was read and adopted.

Mr. Riley offered the following resolution:

Resolved, That the use of this hall be tendered Superintendent W. D. Kerr, Friday evening, March 7, 1879, for the purpose of holding an exhibition, conducted by the students of our Deaf and Dumb Asylum at Fulton; which was read and adopted.

Mr. Dilley offered the following resolution:

WHEREAS, There is a deficiency in the number of suitable chairs for the desks of members of this House; therefore, be it

Resolved, That the Doorkeeper be instructed to supply said deficiency as early as practicable; which was read and adopted.

Mr. Cock offered the following resolution:

Resolved, That the President of the Board of Curators of the State University be required to report to this House, the indebtedness, if any, of the State University, and the amount of such indebtedness, to

whom due and the rate of interest the same bears ; also for what purpose said indebtedness was created ; which was read and adopted.

Mr. Brady offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government is hereby requested to take up the worn out, old and filthy matting, on the hall leading into the House of Representatives, and replace the same with new matting, and have the hall scrubbed and cleaned ; which was read and not adopted.

Mr. Mott offered the following resolution :

WHEREAS, The printed report of the special committee to investigate the management and present condition of the State Treasury, with accompanying testimony, is incomplete, in that it does not contain the minority report, signed by Representative Saunders ; and,

WHEREAS, The number now printed is inadequate for the use of the members of the House and Senate ; therefore, be it

Resolved, That 1,000 additional copies, with the necessary corrections, be printed for the use of the House and Senate ; which was read and not adopted.

Mr. Berryman introduced joint and concurrent resolution, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri ; which was read the first time and laid over.

Mr. Moler introduced bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and to repeal all laws inconsistent herewith ; which was read the first time and laid over.

Mr. Wells introduced bill No. 485, entitled An act to amend section 13 of article 9 of chapter 82 of Wagner's Missouri Statutes, in relation to justices' courts ; which was read the first time and laid over.

Mr. Cock introduced bill No. 486, entitled An act to authorize counties and incorporated cities and towns, to issue bonds of small denominations, and at a low rate of interest, for the purpose of funding their indebtedness ; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 487, entitled An act to repeal an act entitled an act to prevent the destruction of fish, etc., approved April 17, 1877 ; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House Bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled An act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and

numbered as sections 249, 250, 251, 252 and 253, approved April 28, 1877, and also to amend sections 48 and 49 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 307, entitled An act to amend section 6 of chapter 206 of the General Statutes of Missouri, being section 6 of article 3 of chapter 42, Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 345, entitled An act to repeal an act entitled an act concerning fees and the collection thereof, of justices of the peace in cities of thirty thousand or more inhabitants, which became a law on the 22d day of March, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 364, entitled An act to repeal an act entitled an act in relation to the justices of the county court of St. Louis county, approved March 25, 1868, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 365, entitled An act fixing the compensation of experts testifying in courts of record, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 366, entitled An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled and better to provide for the support of the poor in St. Louis county, approved March 1, 1855, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12, 1849, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 383, entitled An act to provide for the punishment of public officers and employes for drunkenness, beg leave to report that they have examined the same, and

find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 12, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 438, entitled An act authorizing the Attorney-General to institute proceedings for the recovery of certain moneys, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Moler, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 441, entitled An act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 3 of the General Statutes, approved April 14, 1877, beg leave to report the same without recommendation; which was read.

House bill No. 441, entitled An act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 206, entitled An act for the relief of Philip Zeal, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 206, entitled An act for the relief of Philip Zeal; was taken up.

The question being upon the engrossment and printing of the bill.

The ayes and noes being demanded, and the House refused to order the bill engrossed and printed, by the following vote :

AYES—Messrs. Berry, Bowman, Burford, Burrows, Carleton, Cock, Collins, Cox, Craig, Crowther, Dodson, Ewing, Lackland, Louthan, Moler, Mott, Mudd of St. Louis, McDaniel, McIntyre, O'Malley, Pollock, Powers, Ragan, Swank, Talbot, Taylor, Tevis, Tiernan and Wells—29.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berryman, Bohannon, Booth, Boulware, Brady, Brown, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Creager, Crow, Dade, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Finks, Greer, Gwynne, Ham, Hammons, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Mabrey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pollard, Powell, Price, Rawlings, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Warren, Weygandt, Whitaker, Wiley, Windes and Withers—73.

ABSENT—Messrs. Bashaw, Bonham, Bryan, Campbell of Atchison, Carroll, Dale, Dawson, Farr, Foster, Freed, Hayes, Haynes, Harrison, Lockhart, Lynn, Larimore, Mackey, Pepper, Phelan, Riley, Waggener and Wisby—22.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Turner, Vancleve, Younger and Mr. Speaker—15.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

Mr. Wells, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union military bonds and the interest thereon, approved February 15, 1870, beg leave to report that they have considered the same, and recommend that it do pass with the following amendments ; which was read.

House bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union Military Bonds, and the interest due thereon, approved February 15, 1870 ; was taken up, with the following amendments, recommended by the Committee on Claims :

Amendment No. 1—Amend the preamble by striking out the following words, “ with interest on the same from the date thereof to the

15th day of February, 1870, at the rate of six per cent. per annum;" which was read and agreed to.

Amendment No. 2—Amend the preamble by striking out the words and figures, "seven hundred and twenty-two dollars and eighty one cents, (\$722.81,") and insert in lieu thereof the words and figures, "five hundred and seventy-two dollars, (\$572.00;") which was read and agreed to.

Amendment No. 3—Amend the preamble by adding the following:

"S. C. Noland, July 15, 1866, No. 15,838, twenty dollars (\$20.00,")
"Selina Gerow, October 1, 1863, No. 15,692, ten dollars (\$10.00;") which was read and agreed to.

Amendment No. 4—Amend the preamble by adding the following:

"A. L. Scott of Boone county,

No. 23,067	for	\$20.00,	series A;	No. 23,075	for	\$20.00,	series A;
" 23,074	"	20.00,	" A;	" 23,068	"	20.00,	" A;
" 2,807	"	10.00,	" A;	" 2,808	"	10.00,	" B;
" 8,168	"	5.00,	" B;	" 4,088	"	5.00,	" B;
" 4,089	"	5.00,	" B;	" 4,086	"	5.00,	" A;
" 4,086	"	5.00,	" B;	" 4,087	"	5.00,	" A;
" 4,088	"	5.00,	" A;	" 4,090	"	5.00,	" A;
" 4,900	"	5.00,	" B;	" 4,087	"	5.00,	" B;
" 8,168	"	5.00,	" A;	" 4,089	"	5.00,	" A;
" 4,087	"	5.00,	" D;	" 4,099	"	5.00,	" C;
" 4,080	"	5.00,	" D;	" 4,088	"	5.00,	" C;
" 4,089	"	5.00,	" C;	" 4,086	"	5.00,	" C;
" 4,080	"	5.00,	" C;	" 4,088	"	5.00,	" D;
" 4,100	"	5.00,	" A;	" 4,099	"	5.00,	" A;
" 4,089	"	5.00,	" D;	" 4,090	"	5.00,	" D;
" 4,091	"	5.00,	" A;	" 4,087	"	5.00,	" C;
" 8,169	"	5.00,	" D;	" 8,169	"	5.00,	" C;
" 4,090	"	5.00,	" C;	" 4,099	"	5.00,	" B;
" 17,435	"	1.00,	" A;	" 17,437	"	1.00,	" A;
" 17,436	"	1.00,	" A;	" 388	"	1.00,	" A;
" 17,438	"	1.00,	" B;	" 17,435	"	1.00,	" B;
" 17,436	"	1.00,	" B;	" 388	"	1.00,	" B;
" 17,433	"	1.00,	" C;	" 17,435	"	1.00,	" C;
" 17,436	"	1.00,	" C;	" 388	"	1.00,	" C;
" 17,435	"	1.00,	" D;	" 17,435	"	1.00,	" A;
" 17,434	"	1.00,	" A;	" 389	"	1.00,	" A;
" 17,436	"	1.00,	" A;	" 69,121	"	1.00,	" E;
" 17,433	"	1.00,	" D;	" 58,542	"	1.00,	" B;
" 17,465	"	1.00,	" G;	" 28,808	"	10.00,	" C;

Which was read and agreed to.

Amendment No. 5—Amend the preamble by adding the following:

“J. C. Lindley, Dade county,”

No. 2,113	series B,	for \$3.00;	No. 2,332	series B,	for \$3.00;
“ 2,337	“ A,	“ 3.00;	“ 3,115	“ A,	“ 3.00;
“ 9,247	“ C,	“ 3.00;	“ 9,484	“ D,	“ 3.00;
“ 9,531	“ D,	“ 3.00;	“ 9,651	“ D,	“ 3.00;
“ 9,696	“ C,	“ 3.00;	“ 21,682	“ D,	“ 3.00;
“ 21,385	“ D,	“ 3.00;	“ 21,395	“ A,	“ 3.00;
“ 211	“ D,	“ 5.00;	“ 239	“ A,	“ 5.00;
“ 246	“ B,	“ 5.00;	“ 448	“ C,	“ 5.00;
“ 526	“ B,	“ 5.00;	“ 756	“ A,	“ 5.00;
“ 16,451	“ B,	“ 5.00;	“ 19,810	“ B,	“ 5.00;
“ 33,582	“ D,	“ 5.00;	“ 4,322	“ B,	“ 5.00;
“ 4,323	“ A,	“ 5.00;	“ 4,336	“ A,	“ 5.00;
“ 4,338	“ A,	“ 5.00;	“ 9,516	“ A,	“ 10.00;
“ 9,516	“ B,	“ 10.00;	“ 9,517	“ A,	“ 10.00;
“ 9,533	“ A,	“ 10.00;	“ 9,539	“ A,	“ 10.00;
“ 9,810	“ A,	“ 10.00;	“ 9,982	“ C,	“ 10.00;
“ 9,984	“ A,	“ 10.00;	“ 9,984	“ B,	“ 10.00;
“ 9,992	“ B,	“ 10.00;	“ 3,043	“ A,	“ 20.00;
“ 3,110	“ A,	“ 20.00;	“ 3,122	“ A,	“ 20.00;
“ 9,522	“ A,	“ 20.00;	“ 9,804	“ A,	“ 20.00;
“ 9,824	“ A,	“ 20.00;	“ 9,981	“ A,	“ 20.00;

Which was read and agreed to.

Mr. Alldridge offered the following amendment:

Amend preamble by adding “Miles Allen, \$5.00, No. 7,922;” which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Senate joint and concurrent resolution No. 14, entitled Joint and concurrent resolution memorializing Congress to appropriate money for the immediate improvement of the Missouri river at St. Charles, Glasgow, Cedar City and Kansas City, Missouri; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 6, 1879.

To the HON. J. ED. BELCH, Speaker of the House of Representatives:
SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to prevent the licensing or taxing by municipal corporations of certain professions.

An act to amend section 48 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts inconsistent therewith, approved April 28, 1877.

An act to prevent the seining of fish in the "cut off," situated on the southeast quarter of section ten, (10,) and northeast quarter of section fifteen, (15,) township fifty-seven, (57,) range twenty-four, (24,) Livingston county, Missouri.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 151, entitled An act to amend sections 2, 3, 3, 4, 5, 9, 11, 14, 17 and 18 of an act entitled approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up with amendments recommended by the Committee on Ways and Means, and the bill ordered printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 32, entitled Concurrent resolution memorializing Congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from the State courts to the circuit court of the United States, beg leave to report that they have considered the same, and recommend that the substitute offered by the member from Jackson submitted do pass; which was read.

House concurrent resolution No. 32, entitled Concurrent resolution memorializing Congress to repeal certain statutes, and modify

the existing laws relating to the removal of causes from the State courts to the circuit courts of the United States; was taken up with the substitute recommended by the Committee on Federal Relations.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 55, entitled An act to revise and amend title ten of the General Statutes of Missouri, relating to public records and supplying records and papers lost or destroyed, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Substitute for Senate bill No. 55, entitled An act to revise and amend title ten of the General Statutes of Missouri, relating to public records and supplying records and papers lost or destroyed; was taken up, and, on motion, ordered printed.

House concurrent resolution No. 13, entitled Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the State Constitution providing that criminals may be proceeded against by indictment or information, as may be provided by law; was taken up, and,

On motion of Mr. Hammons, was made special order for Tuesday, March 11.

On motion of Mr. Davis, the House went into Committee of the Whole for the further consideration of Senate bill No. 172, entitled An act to appropriate money for the State government for the years 1879 and 1880.

Mr. Cox in the chair.

On motion, the Committee of the Whole rose.

The Speaker *pro tem.* called the House to order.

Mr. Cox, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again to-morrow at 10 o'clock, A. M.; which was granted.

Under suspension of the rules, House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of act inconsistent therewith, approved April 28, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Camp-

bell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Greer, Gwynne, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kniesley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—115.

ABSENT—Messrs. Bashaw, Bohannon, Creager, Farr, Hayes, Harrigan, McDaniel, Tiernan and Waggener—9.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Turner, Vancleve, Younger and Mr. Speaker—15.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 458, entitled An act providing for the taxation of insurance companies; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House Bill No. 457, entitled An act to amend section 8, chapter 48 of Wagner's Missouri Statutes, entitled dramshops, dramshop-keepers and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 435, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 459, An act in relation to fire insurance companies; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 460, entitled An act to repeal sections 3 and 4 of an act entitled an act to promote the payment of jurors in St. Louis.

county, approved January 29, 1847, and section 19 of an act entitled an act to provide for the reorganization of the St. Louis circuit court, and regulate proceedings therein, approved December 19, 1865; was called up, read the second time, and, on motion, referred to the St. Louis delegation.

House bill No. 461, entitled An act for the relief and benefit of S. W. Smith and J. R. Jones, of Benton county; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 462, entitled An act to provide for the exemption of certain property from execution or attachment and sale, and to repeal all former laws inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 463, entitled An act to amend an act entitled of the change of venue in civil cases, General Statutes, chapter 158, page 633, Wagner's Statutes, chapter 142, page 1355, and to repeal section 2 of an act entitled an act to provide for the holding of courts by the judge of another circuit, and for the selection of a temporary judge in certain cases, approved May 19, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 464, entitled An act relating to the employment of deputy clerks of the Supreme Courts; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 465, entitled An act to amend sections 4 and 5 of an act entitled an act to authorize the sale of fractional section sixteen of township forty-five north, range seven east, approved March 3, 1851, and to add another section to said amended act, called section 8, giving the municipal assembly of the city of St. Louis power to fill vacancies in the board of commissioners; was called up, read the second time, and, on motion, referred to the Committee on St. Louis Delegation.

House bill No. 466, entitled An act commuting the time of imprisonment of persons confined in the county and city jail under sentence therein; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 467, entitled An act to prevent public drunkenness; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 468, entitled An act to amend section 77 of chapter 55 of the General Statutes, entitled executors; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 469, entitled An act to amend section 23 of chapter 146 of the General Statutes of the State of Missouri, entitled of

juries; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22; was called up, read the second time, and referred to the Committee on Ways and Means.

House bill No. 471, entitled An act to amend sections 1 and 2 of an act entitled an act to regulate the practice of medicine and surgery in this State, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

House bill No. 472, entitled An act to amend section 14 of chapter 99 of Wagner's Statutes, entitled of mortgages; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 473, entitled An act to provide a uniform system of county courts, and prescribe their powers and duties; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 474, entitled An act to authorize the sale of property, real and personal, escheated to the State; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 475, entitled An act to amend section 13 of article 5 of Wagner's Statutes, entitled settlement of the accounts of executors and administrators, the same being section 13, chapter 124 of the General Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 476, entitled An act to amend section 10 of article 6 of Wagner's Statutes, entitled distribution of estates; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 477, entitled An act to repeal section 5, of chapter 6 of Wagner's Missouri Statutes, and renumbering sections therein; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 478, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, the same being section 3 of article 2 of chapter 42 of Wagner's Missouri Statutes; was called up,

read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 479, entitled An act to repeal section 2 of an act entitled an act in relation to the public institutions of the State, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylums.

House bill No. 480, entitled An act for the payment of Peter J. Diercks, and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 481, entitled An act in relation to the number of persons who shall compose county courts; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 482, entitled An act to amend sections 67 of chapter 46 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 483, entitled An act to amend sections 2 and 3 of article 1 of chapter 118 of Wagner's Missouri Statutes, entitled revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House joint and concurrent resolution No. 39, entitled Joint and concurrent resolution for the formation of the State of North Missouri; was called up, read the second time, and, on motion, referred to the Committee on Revised and Unfinished Business.

House concurrent resolution No. 40, entitled Concurrent resolution submitting to a vote of the people an amendment to the Constitution, forbidding the loaning to, or depositing in any bank of the moneys of the State; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was called up, and read the first time.

House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145, 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252, 253, approved April 28, 1877; and, also,

to amend sections 38, 48 and 59 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, and, on motion of Mr. Pepper, made special order for Wednesday, March 12.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in Senate amendment No. 6, reported by the Senate to House bill No. 1, on February 27, concerning the State treasury, there occurred an error in copying said Senate amendment to section 11, to-wit: in using the word "retaining" in place of the word "returning," and the Senate respectfully ask hat the House of Representatives to correct the error made in the Senate corrected amendment herewith reported; which was read.

The corrected Senate amendment No. 6 to House bill No. 1 was ordered printed.

Mr. Davis moved to reconsider the vote by which the House concurred in the amendment formerly reported from the Senate as Senate amendment No. 6; which was agreed to.

On motion of Mr. Palmer, the House took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker *pro tem.* Campbell in the Chair.

Leave of absence was granted Mr. Tevis for four days.

House bill No. 147, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, was taken up.

Mr. Hammons moved that the bill be laid on the table; which was agreed to.

House bill No. 155, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, was taken up, read the third time and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Col-

lins, Cook, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Greer, Ham, Hammons, Harrington, Helm, Kneisley, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley. Patterson of Linn, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Warren, Wells, Weygandt, Windes, Withers.—84.

NOES—Messrs. Bowman, Cooper, Dawson, Hubbard, Ingram, Morrison, Organ, Ragan, Smith, Swank, Whitaker.—11.

ABSENT—Messrs. Adams, Bohannon, Booth, Boulware, Brady, Farr, Freed, Gwynne, Hayes, Haynes, Harrigan, Hynes, Johnson, Lackland, Louthan, Manistre, Maynard, Miles, Moler, Mott, Pehle, Pepper, Pollock, Rawlings, Tevis, Tiernan, Waggener, Wiley, Wisby, —29.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Turner, Vancleve, Younger and Mr. Speaker—15.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 1, entitled An act in relation to the State treasury, was taken up with the following Senate amendment:

Amendment No. 6.—Amend section 11 by inserting in line 5, printed bill, after the words "moneys or any part thereof," the following: "Or any bonds deposited by any bank under the provisions of this act." Also by adding after the word "act," in line 8, the words: "Or for returning or disposing of said bonds according to law;" which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Bowman, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Greer, Gwynne, Ham, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Kneisley, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler,

Morrison, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Warren, Wells, Weygandt, Whitaker, Windes and Withers—102.

ABSENT—Messrs. Bohannon, Booth, Boulware, Brady, Dale, Farr, Freed, Hayes, Haynes, Hynes, Johnson, Lackland, Louthan, Mott, Pehle, Pepper, Pollock, Rawlings, Tevis, Waggener, Wiley and Wisby—22.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Turner, Vancleve, Younger and Mr. Speaker—15.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

Mr. Davis moved to reconsider the vote by which the amendment was concurred in, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 194, entitled An act to regulate the salaries of the officers of certain eleemosynary institutions in this State; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bonham, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Ham, Hammons, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Withers—93.

NOES—Messrs. Berryman, Cock, Davis, Foster, Harrigan, Larimore, Manistre, Mott, McDaniel, Phelan, Reynolds and Tiernan, —12.

ABSENT—Messrs. Bashaw, Bohannon, Booth, Brady, Campbell of St. Louis city, Creager, Crowther, Dale, Farr, Freed, Gwynne, Hayes, Haynes, Hynes, Lackland, Pollock, Waggener and Wiley—18.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—16.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

The title of the bill was read and agreed to.

Mr. Bonham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 196 entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84, acts 1871-2, approved March 30, 1872; was taken up.

On motion of Mr. Taylor, the bill was laid over informally.

House bill No. 205 entitled An act to amend section 23, chapter 56 of Wagner's Statutes in relation to the fees in the office of the Secretary of State; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Greer, Gwynne, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Withers—110.

ABSENT—Messrs. Bohannon, Brady, Burford, Dale, Farr, Freed, Hayes, Haynes, Helm, Pollock, Lackland, Tevis, Waggener and Wiley—14.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Vancleve, Younger and Mr. Speaker—15.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Boulware, Burford, Burrows, Cook, Diercks, Dougherty, Greer, Hubbard, Hynes, Ingram, Kneisley, Lockhart, Lynn, Mabrey, Miles, Mudd of Lincoln, McKinney, Pepper, Pollard, Powell, Powers, Ragan, Riley, Smith of Cedar, Spring, Tiernan, Wells, Whitaker and Withers—36.

NOES—Messrs. Bashaw, Berryman, Booth, Brown, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cooper, Cox, Craig, Creager, Crow, Dade, Davis, Dawson, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Finks, Foster, Gwynne, Ham, Hammons, Harrigan, Harrison, Helm, Johnson, Larimore, Louthan, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Price, Reynolds, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Warren, Weygant, Windes and Wisby—68.

ABSENT—Messrs. Bohannon, Bonham, Bowman, Brady, Campbell of Atchison, Chenoweth, Coleman, Crowther, Dale, Farr, Freed, Hayes, Haynes, Lackland, Maynard, Pollock, Rawlings, Waggener and Wiley—19.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—16.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 219, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was taken up, read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Ballew, Berry, Boulware, Bowman, Brown, Burrows, Campbell of Atchison, Campbell of St. Louis, Carleton, Chilton, Chitwood, Cloud, Coleman, Cook, Cox, Craig, Creager, Crow, Crowther, Davis, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Greer, Ham, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Louthan, Linn, Mabrey, Mackey, Mahn, Maynard, Moler, Mudd of Lincoln, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pollard

Powell, Price, Ragan, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Wells, Weygandt, Windes and Wisby—65.

NOES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Bonham, Booth, Bryan, Burford, Carroll, Cock, Collins, Cooper, Dade, Dawson, Diercks, Dilley, Drum, Foster, Gwynne, Hammons, Ingram, Kneisley, Larimore, Lockhart, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McGarry, McKinney, O'Malley, Pepper, Phelan, Powers, Rawlings, Smith of Cedar, Taylor, Tiernan, Warren, Whitaker and Withers—44.

ABSENT—Messrs. Bohannon, Brady, Chenoweth, Dale, Farr, Freed, Hayes, Lackland, Pollock, Riley, Settles, Waggener and Wiley—13.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—16.

SICK—Messrs. Cowan of Holt, Cowan of Christian, Haynes, Saunders and Souder—5.

Substitute for House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers; was taken up, and, on motion, passed over informally.

Mr. Bonham moved to reconsider the vote by which House bill No. 219 failed to pass.

Mr. Whitaker moved to lay that motion on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Carroll, Cooper, Dawson, Diercks, Dougherty, Drum, Gwynne, Kneisley, Lockhart, Miles, Morrison, McGarry, McKinney, Phelan, Powell, Rawlings, Smith of Cedar, Taylor, Warren, Whitaker and Withers—30.

NOES—Messrs. Adams, Ballew, Berry, Bowman, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dilley, Dodson, Dryden, Ellis, Ewing, Finks, Foster, Greer, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Larimore, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pollard, Powers, Price, Ragan, Riley, Reynolds,

Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Wells, Weygandt and Wisby—78.

ABSENT—Messrs. Bohannon, Brady, Dale, Farr, Freed, Hayes, Haynes, Lackland, O'Malley, Pepper, Pollock, Settles, Waggener, Wiley and Windes—15.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—16.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Saunders and Souder—4.

The question being on the motion to reconsider the vote by which the bill failed to pass, the motion to reconsider was agreed to.

The question recurring on the passage of the bill, the roll was called, and the bill again failed to pass by the following vote :

AYES — Messrs. Adams, Ballew, Berry, Boulware, Bowman, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cox, Craig, Creager, Crow, Crowther, Davis, Dodson, Dryden, Ellis, Ewing, Finks, Greer, Ham, Harrigan, Harrison, Hubbard, Hynes, Helm, Johnson, Larimore, Louthan, Mabrey, Mackey, Maynard, Moler, Mudd of Lincoln, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pollard, Price, Ragan, Rawlings, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Wells, Weygandt, Windes and Wisby—65.

NOES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Bonham, Booth, Burford, Carroll, Collins, Cooper, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Foster, Gwynne, Hammons, Ingram, Kneisley, Lockhart, Lynn, Mahn, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McGarry, McKinney, O'Malley, Pepper, Phelan, Powell, Powers, Riley, Smith of Cedar, Taylor, Tiernan, Warren, Whitaker and Withers—46.

ABSENT—Messrs. Bohannon, Brady, Burrows, Farr, Freed, Hayes, Lackland, Pollock, Settles, Waggener and Wiley—11.

ABSENT WITH LEAVE—Messrs. Arnold, Brewer, Gray, Hall, Hale, Harrington, Kendall, Knight, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—16.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Haynes, Saunders and Souder—5.

The following message was received from the Senate through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution memorializing Congress of the United States, asking for appropriations for the improvement of western rivers.

Also, Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of Missouri, concerning boatmen.

Also, Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877.

Also, substitute for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage.

Also, Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1879.

Also, Senate bill No. 191, entitled An act to amend section 1 of an act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877.

Also, Senate bill No. 203, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865.

In which the concurrence of the House is respectfully requested ; which was read.

On motion of Mr. Cook, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-SEVENTH DAY—FRIDAY, March 7, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Anderson, the further reading was dispensed with.

Leave of absence was granted Mr. Finks for two days.

Leave of absence was granted Mr. Ballew for ten days.

Leave of absence was granted Mr. Bohannon for fourteen days.

Leave of absence was granted Mr. Brady for five days.

Leave of absence was granted Mr. Crow for ten days.

Leave of absence was granted Mr. Lackland for four days.

Leave of absence was granted Mr. Burrows for ten days.

Leave of absence was granted Mr. Wisby for four days.

The Speaker laid before the House the following communication from the Superintendent of Public Schools :

CITY OF JEFFERSON, March 6, 1879.

To the Honorable House of Representatives, Thirtieth General Assembly, State of Missouri :

I have just received the accompanying report from the President of the Board of Curators of the State University, and beg leave to submit it as a part of my answer to the resolution adopted by the House on yesterday.

I have the honor to be,

Very respectfully,

R. D. SHANNON,

State Sup't Public Schools.

Which was read.

On motion, the accompanying report was referred to the Committee on Ways and Means.

Mr. Anderson presented a petition from the citizens of Marion county, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Ballew presented a petition from citizens of Carroll county, praying the General Assembly to enact a township law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Bowman presented a petition from citizens of Rolla, Mo., praying the General Assembly to repeal the act incorporating the town of Rolla, approved January 25, 1861, and all acts amendatory and supplemental thereto; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Dougherty presented a petition from citizens of Clay county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation

and sale of intoxicating drinks, as such, in the State of Missouri ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Campbell of Atchison presented a petition from citizens of Atchison county, praying the Legislature to submit to a vote of the people an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks in this State ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Carleton presented a petition from citizens of Linn county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks within the State ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Gwynne offered the following resolution :

Resolved, That the consideration of the report of the Special Committee heretofore appointed to investigate the management and present condition of the State Treasury, and of the resolution offered thereon, be and the same is hereby made the special order of this House for Friday next, 12th inst., at 9½ o'clock A. M., and that the consideration of same be continued from that hour until decisive action be taken upon the question ; which was read and agreed to.

Mr. Pehle introduced bill No. 488, entitled An act to prohibit the manufacture and sale of brooms in the penitentiary and by convict labor ; which was read the first time and laid over.

Mr. Price introduced bill No. 489, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, Acts 1871-2, approved March 30, 1872 ; which was read the first time and laid over.

Mr. Manistre introduced bill No. 490, entitled An act to provide for the payment of the wages of labor in the lawful money of the United States ; which was read the first time and laid over.

Mr. Taylor introduced bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds ; which was read the first time and laid over.

Mr. Taylor introduced bill No. 492, entitled An act to provide for filling the office of recorder of deeds in all counties wherein such office has been separated from the office of county clerk ; which was read the first time and laid over.

Mr. Wells introduced bill No. 492, entitled An act concerning procedure before justices of the peace ; which was read the first time and laid over.

The special order being the consideration of Senate bill No. 238, entitled An act to provide for issuing duplicate State bonds or coupons; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Campbell of St. Louis city, Carleton, Collins, Cox, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Gwynne, Louthan, Lynn, Mabrey, Moler, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Phelan, Powers, Price, Ragan and Riley—26.

NOES—Messrs. Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Freed, Greer, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McKinney, O'Malley, Patterson of Schuyler, Pehle, Pepper, Powell, Rawlings, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Withers—82.

ABSENT—Messrs. Anderson, Carroll, Creager, Hayes, Pollock, Pollard, Tiernan, Waggener and Wisby—9.

ABSENT WITH LEAVE—Messrs. Arnold, Brady, Brewer, Burrows, Farr, Finks, Gray, Hall, Hale, Harrington, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Younger and Mr. Speaker—21.

SICK—Messrs. Cowan of Holt, Cowan of Christian, Haynes, Souder and Saunders—5.

Mr. Maynard moved to reconsider the vote by which the bill failed to pass.

Mr. Settles moved to lay the motion to reconsider on the table; which was agreed to.

Mr. McDaniel offered the following resolution:

Resolved, That the Secretary of State is hereby instructed to procure and furnish the following books for the use of the Joint Committee on Revision, to-wit: 7 copies of Wagner's Statutes of Missouri of 1872; 7 copies of Meyers' Supplement to Wagner's Statutes—latest edition; 3 copies of Patterson's Digest of the Decisions of the Supreme court of Missouri; 3 copies of Meyers' Supplement to Patterson's Digest of the Decisions of the Supreme Court of Missouri. And that said books shall be paid for out of any money appropriated for the contingent expenses of the Thirtieth General Assembly; which was read and adopted.

Mr. Kneisley, from the Committee on the University of the State, submitted the following report :

HON. J. ED. BELCH, Speaker of the House of Representatives :

SIR :—The undersigned, a portion of your Committee on the University of the State, beg leave to submit the following report :

We visited the University during the last week in February, and there made an examination of the books and accounts, showing the receipts and expenditures for the years 1877 and 1878. The books appear to be well kept, the accounts or claims have been properly audited and allowed, and we found proper vouchers for each item of expenditure, and found all to be correct.

We made careful inquiry into the estimates for expenditures for the ensuing two years, and believe the estimates are only such as are necessary to meet the wants of the institution. We are convinced that no reduction from estimates can well be made without it should be in the salaries paid to professors and teachers, and we cannot recommend this, as the salaries now paid are lower than are paid by similar institutions in our neighboring States, and are as low as such talent as is required for the successful management of the university can be secured.

Between three and four hundred students are now receiving instruction in the various departments, representing between sixty and seventy counties of this State, and also students from some thirteen other States.

The students, both male and female, are believed to be fully up to the average in mental and moral worth, and if we may believe the universal testimony of such of the citizens of Columbia as your committee were able to confer with, are to be highly commended for their orderly, attentive and industrious habits, thereby giving evidence of most excellent discipline in the institution.

We visited most of the rooms during the hours of recitation, or of instruction, and although we had but little time to spend in any one, we there witnessed much to commend in manner of instruction on the part of the teachers, and in respectful and earnest attention on the part of the students.

We also visited the Agricultural College Farm, if, in its present neglected condition, it can be said to deserve so much name, and we are constrained to say that this farm is not so nearly a model, in arrangement and improvement, as to be any great credit to its owner, the State of Missouri.

The condition of the farm is not fairly chargeable to any neglect on the part of those who have had the care of it. They have had very

little to do with, and it is believed, have accomplished all that could well be done with the means at hand. No money has ever been appropriated by the State for the improvement of this farm.

This farm was given to the State by the people of Boone county, for the establishment of the Agricultural College, in connection with the University, and it cannot be expected the liberality of the same people shall be taxed for its improvement and successful maintenance. The State should provide the means and labor to make this the model farm of the State, if not the model farm of the Mississippi Valley. This should be done, or the pretense of keeping up an agricultural department of the University, and a farm connected therewith, should be abandoned.

The farm embraces 640 acres, much of it good agricultural land and all of it good grass land, with the exception of a few acres, and on these few acres can be opened stone quarries, where material for such building and fencing as are wanting, may be procured very cheaply. Of this land, between three and four hundred acres have been reduced to cultivation; much of the remainder is covered thickly with brush. This should be well grubbed, and the land cleared of all except such trees as should be left for ornament or shade.

Six or eight miles of good fence is much needed on this farm, and it is believed that this should be constructed of the stone that there is on the land.

It has been suggested that the buildings and fences may be constructed, and the grubbing and clearing done by the use of convict labor, without making any large appropriation of money from the treasury of the State.

On the south end of the tract of land, a full mile from the University grounds and $1\frac{1}{2}$ miles from the town, is a very beautiful spring, affording an abundant supply of pure water. Here, barracks could be erected for the care of 30 to 50 men, who could be well employed for years in work exclusively for the State and on State property. The increased production of the farm could be made to furnish subsistence for the convicts while so employed. Here they could quarry and dress the stone, burn brick and lime, and erect all necessary buildings, such as barns, tool houses, work shops and a propagating house, all of which are very much needed. They could also erect all necessary fences, clear the land referred to and thus accomplish many desirable improvements without looking to the State for appropriations from the State Treasury, except for the purchase of such building materials as this labor would not be able to produce.

All of which is most respectfully submitted; which was read.

Mr. Bryan introduced bill No. 494, entitled An act to regulate the insurance of property against loss or damage by fire, and to prevent the destruction of taxable wealth of counties, cities and towns; which was read the first time and laid over.

Mr. Settles introduced bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers, for boarding prisoners; which was read the first time and laid over.

On motion of Mr. Davis, the House went into Committee of the Whole for the further consideration of Senate bill No. 172.

Mr. Cox in the chair.

On motion, the committee rose.

The Speaker took the chair and called the House to order.

Mr. Cox, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again this afternoon; which was granted.

On motion of Mr. Taylor, the House took a recess until 2 o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker *pro tem.* Campbell in the chair.

Leave of absence was granted Mr. Foster for three days.

On motion of Mr. Cox, seconded by ten members, a call of the House was ordered.

The roll being called, the following members answered to their names:

Messrs. Alldridge, Andrews, Ballew, Beckner, Berryman, Bohannon, Boulware, Bowman, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Craig, Creager, Crowther, Dade, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Greer, Gwynne, Ham, Hammons, Haynes, Harrigan, Harrison, Hynes, Helm, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Wells, Whitaker and Withers—80.

On motion of Mr. Davis, further proceedings under call of the House were dispensed with.

Leave of absence was granted Mr. Dale for three days.

Leave of absence was granted Mr. Bonham for ten days.

Substitute for House bill No. 196, entitled an act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, page 84, Acts 1871-2, approved March 30, 1872; was taken up.

On motion of Mr. Taylor the bill was laid on the table.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills have carefully examined, and find truly enrolled House bill No. 1, entitled An act in relation to the State Treasury; which was read.

House bill No. 1, entitled An act in relation to the State treasury, was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

On motion of Mr. Davis, the House resolved itself into a Committee of the Whole for the further consideration of Senate bill No. 172.

Mr. Cox in the Chair.

On motion, the Committee rose.

The Speaker *pro tem.* took the chair and called the House to order.

Mr. Cox, Chairman of the Committee of the Whole, reported progress and asked leave to sit again; which was granted.

The following message was received from the Senate, through its Assistant-Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 143, entitled An act for the better protection of the county revenue funds of the State; in which the concurrence of the House is respectfully requested; which was read.

Senate bill No. 203, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 30th, 1865; was called up and read the first time.

Senate bill No. 191, entitled An act to amend section 1 of an act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877; was called up and read the first time.

Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds, for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1879; was called up and read the first time.

Senate bill 125, entitled An act to amend sections 2, 3, 4 and 9, of an act entitled an act to revise and amend the laws in relation to

public schools in cities, towns and villages, approved April 26, 1877; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen; was called up and read the first time.

Senate substitute No. 1 for Senate bill No. 81, entitled An act to revise and amend chapter 194, of the General Statutes of the State of Missouri, concerning salvage; was called up and read the first time.

Senate bill 143, entitled An act for the better protection of the county revenue funds of the State; was called up and read the first time.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution, memorializing Congress of the United States, asking for appropriations for the improvement of the Western rivers; was called up and read the first time.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Louthan moved that the House adjourn.

The ayes and noes being demanded, the motion did not prevail by the following vote:

AYES—Messrs. Adams, Ballew, Berry, Bohannon, Booth, Bowman, Bryan, Burford, Campbell of Atchison, Chilton, Chitwood, Cock, Cook, Craig, Creager, Crowther, Davis, Dodson, Freed, Greer, Gwynne, Hale, Haynes, Hubbard, Hynes, Helm, Johnson, Louthan, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mott, McGarry, O'Malley, Phelan, Pollard, Ragan, Settles, Smith of St. Louis city, Taylor, Tiernan and Warren—45.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Berryman, Boulware, Brown, Campbell of St. Louis city, Chenoweth, Coleman, Cooper, Dade, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Hayes,

Ham, Hammons, Harrison, Ingram, Kneisley, Larimore, Lockhart, Mahn, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Powell, Powers, Price, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Wells, Whitaker, Windes and Withers—51.

ABSENT—Messrs. Anderson, Carleton, Carroll, Cloud, Collins, Cox, Dawson, Dryden, Gray, Harrigan, Maynard, Miles, McDaniel, McIntyre, Patterson of Schuyler, Pollock, Waggener, Weygandt and Wisby—19.

ABSENT WITH LEAVE—Messrs. Arnold, Bonham, Brady, Brewer, Burrows, Crow, Dale, Farr, Finks, Foster, Hall, Harrington, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Tevis, Turner, Vancleve, Wiley, Younger and Mr. Speaker—24.

SICK—Messrs. Cowan of Christian, Cowan of Holt, Farr and Saunders—4.

On motion of Mr. Davis, the House adjourned until to-morrow morning at 9 o'clock.

FORTY-EIGHTH DAY—SATURDAY, March 8, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Ragan was granted leave of absence for six days.

Mr. Weygandt was granted leave of absence for nine days.

Mr. Harrison was granted leave of absence for three days.

Mr. Campbell moved to reconsider the vote by which House bill No. 242 was indefinitely postponed, and to have the motion to reconsider entered upon the journal.

Mr. Alldridge presented a petition from citizens of Moniteau county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Brown presented a petition from the citizens of Ralls county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McKinney presented a petition from citizens of Gentry county, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Farr presented a petition from citizens of Johnson county, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Pollard presented a petition from citizens of Sarcoxie, Mo., in relation to school text books; which was read, and, on motion, referred to the Committee on Education.

Mr. Patterson of Linn offered the following resolution:

WHEREAS, There is no necessity for so many wood-carriers now; therefore,

Resolved, That the Doorkeeper be instructed to discharge all the wood-carriers except one; which was read, and, on motion, further consideration postponed for one week.

Mr. Bryan moved to reconsider the vote by which the House refused to order to engrossment and printing of House bill No. 206; which was agreed to.

The question recurring upon the engrossment and printing of the bill, the ayes and noes were demanded, and the bill ordered engrossed and printed by the following vote:

AYES—Messrs. Berry, Berryman, Boulware, Bowman, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ewing, Farr, Freed, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Helm, Johnson, Kneisley, Louthan, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powers, Price, Rawlings, Riley, Settles, Smith of St. Louis city, Swank, Taylor, Turner, Warren, Wells, Windes and Mr. Speaker—71.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Booth, Brown, Chenoweth, Chitwood, Cook, Dade, Ellis, Greer, Gwynne, Hynes, Ingram, Larimore, Lockhart, Lynn, Mabrey, Mudd of Lincoln, McKinney, Pehle, Pepper, Pollard, Powell, Smith of Cedar, Tiernan, Whitaker and Withers—29.

ABSENT—Messrs. Anderson, Bashaw, Campbell of Atchison, Crowther, Dilley, Dryden, McDaniel, McIntyre, Pollock, Reynolds, Spring, Talbot and Wisby—13.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—28.

SICK—Messrs. Saunders and Souder—2.

Substitute for House bills Nos. 2 and 20, entitled An act to regulate the rate of interest; was taken up.

Mr. Patterson of Linn moved that further consideration of the bill be postponed until March 25th.

Mr. Davis moved to amend by postponing until July 25th.

The question being upon the motion to postpone until July 25th, the ayes and noes were demanded, and the motion did not prevail by the following vote:

AYES—Messrs. Carroll, Cox, Davis, Dawson, Dilley, Ellis, Freed, Greer, Gwynne, Harrigan, Hubbard, Helm, Mackey, McGarry, O'Malley, Organ, Smith of St. Louis city, Swank and Tiernan—19.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Dade, Diercks, Dougherty, Drum, Ewing, Farr, Hayes, Hale, Ham, Hammons, Haynes, Hynes, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Spring, Taylor, Turner, Warren, Wells, Whitaker, Windes, Withers and Mr. Speaker—78.

ABSENT—Messrs. Anderson, Bowman, Brown, Bryan, Campbell of Atchison, Crowther, Dodson, Dryden, Moler, Morrison, McDaniel, McIntyre, Pollock, Reynolds and Wisby—15.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of

Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—29.

SICK—Messrs. Saunders and Souder—2.

The question recurring upon the motion to postpone until Tuesday, March 25th, it was agreed to.

House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations or statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments, coins and metals; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Powell, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Warren, Wells, Whitaker, Withers and Mr. Speaker—103.

ABSENT—Messrs. Anderson, Dawson, Dryden, McDaniel, McIntyre, Reynolds, Tiernan and Windes—8.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley, Wisby and Younger—30.

SICK—Messrs. Souder and Saunders—2.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, John-

son, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Warren, Wells, Whitaker, Windes, Withers and Mr. Speaker—103.

ABSENT—Messrs. Anderson, Dryden, Freed, Maynard, McDaniel, McIntyre, Reynolds and Wisby—8.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley and Younger—30.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Harrigan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Talbot was granted leave of absence for one day.

Mr. Wiley was granted leave of absence for three days.

House bill No. 324, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved Feb. 20, 1865; was taken up.

On motion of Mr. Mudd of St. Louis, the bill was laid on the table.

House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved Feb. 28, 1845, and all acts supplementary thereto; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard,

Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tiernan, Turner, Warren, Wells, Windes and Mr. Speaker—99.

ABSENT—Messrs. Anderson, Dryden, Freed, Harrigan, McDaniel, McGarry, McIntyre, Pollock, Powell, Reynolds, Whitaker and Wisby—12.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley, Withers and Younger—30.

SICK—Messrs. Souder and Saunders—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE. }
JEFFERSON CITY, March 8, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I return to the House, with my approval indorsed thereon, a bill of the following title:

An act to amend chapter 70 of the General Statutes of Missouri, being article 8 of chapter 37 of Wagner's Statutes of Missouri, relating to benevolent, religious and educational associations, by the addition of new sections thereto, as sections 14 and 15.

Very respectfully,

JOHN S. PHELPS.

Which was read.

House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved Feb. 28, 1857, and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved Feb. 25, 1863; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes,

Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Warren, Wells, Whitaker, Windes, Withers and Mr. Speaker—98.

ABSENT—Messrs. Anderson, Davis, Dawson, Dryden, Freed, Hall, Harrigan, McDaniel, McIntyre, Pepper, Pollock, Reynolds, Taylor, Tiernan, Turner and Wisby—16.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—27.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Bowman, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gwynne, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Withers and Mr. Speaker—93.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Wash-

ington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—28.

ABSENT—Messrs. Anderson, Boulware, Campbell of Atchison, Carroll, Chitwood, Davis, Dryden, Freed, Hayes, Manistre, Maynard, Miles, Morrison, McDaniel, McIntyre, Pollock, Reynolds, Taylor, Tiernan and Wisby—20.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Leave of absence was granted Mr. Tiernan for four days.

House bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors and of witnesses in St. Louis county, approved March 5, 1855 ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—99.

ABSENT—Messrs. Anderson, Campbell of Atchison, Davis, Dryden, Freed, Manistre, Moler, McDaniel, McIntyre, McKill, Reynolds and Taylor—12.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley and Younger—30.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailor of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailor thereof in St. Louis county, approved February 27, 1866 ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—101.

ABSENT—Messrs. Anderson, Campbell of Atchison, Davis, Freed, Hall, Harrigan, Maynard, McDaniel, McIntyre, Tevis and Tiernan—11.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Taylor, Vancleve, Waggener, Weygandt, Wiley and Younger—28.

SICK—Messrs. Souder, Saunders and Reynolds—3.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845 ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan,

Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—103.

ABSENT—Messrs. Campbell of Atchison, Davis, Freed, Hall, Haynes, McDaniel, McIntyre, Reynolds, Taylor and Tiernan—10.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve Waggener, Weygandt, Wiley and Younger—28.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St.

Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—102.

ABSENT—Messrs. Adams, Campbell of Atchison, Davis, Dawson, Freed, Harrigan, McIntyre, Reynolds and Taylor—9.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley and Younger—30.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 364, entitled An act to repeal an act entitled an act in relation to the justices of the county court of St. Louis county, approved March 25, 1868; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crowther, Dade, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Wells, Windes, Withers and Mr. Speaker—91.

ABSENT—Messrs. Anderson, Carroll, Craig, Davis, Dawson, Dodson, Freed, Hayes, Johnson, Mackey, Maynard, Miles, McDaniel, McGarry, McIntyre, Morrison, Powell, Reynolds, Taylor, Tiernan, Whitaker and Wisby—22.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—28.

SICK—Messrs. Saunders and Souder.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 366, entitled An act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled an act better to provide for the support of the poor in St. Louis county, approved March 1, 1855; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—98.

ABSENT—Messrs. Burford, Campbell of St. Louis city, Cock, Dryden, Farr, Freed, Miles, Moler, McDaniel, McIntyre, Reynolds, Spring, Taylor and Tiernan—14.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Vancleve, Waggener, Weygandt, Wiley and Younger—29.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis county, approved March 12, 1849; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford,

Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Turner, Warren, Wells, Whitaker, Windes, Wisby, Withers and Mr. Speaker—97.

ABSENT—Messrs. Andrews, Dade, Farr, Freed, Harrigan, Mabrey, Miles, Moler, Morrison, McDaniel, McIntyre, Reynolds, Spring and Taylor—14.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley and Younger—30.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Mudd, of St. Louis, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report;

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 144, entitled An act to amend section 1 of an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877, beg leave to report that they have considered the same, and report herewith a substitute therefor, and recommend that it do pass; which was read.

House bill No. 144, entitled An act to amend section 1 of an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877; was taken up, with the substitute recommended by the Committee on Banks and Corporations.

On motion, the substitute was made special order for Wednesday, March 19, and ordered printed for information.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 141, entitled An act to amend section 1 of an act entitled an act to provide for the levy of a special tax to create a sinking fund for the payment of county, city or town bonded indebtedness, approved April 14, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 141, entitled An act to amend section 1 of an act entitled an act to provide for the levy of a special tax to create a sinking fund for the payment of county, city and town bonded indebtedness, approved April 14, 1877, was taken up, and, on motion, made special order for Wednesday, March 19, and ordered printed for information.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 369, entitled An act to provide a sinking fund for the payment of the State and municipal indebtedness, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Ways and Means; which was read.

House bill No. 369, entitled An act to produce a sinking fund for the payment of the State and municipal indebtedness; was taken up, and, on motion, referred to the Committee on Ways and Means.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 351, entitled An act to amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, by adding a new section thereto, to be known as section 36, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 351, entitled An act to amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, by adding a new section thereto, to be known as section 36; was taken up, and, on motion, referred to the Committee on Revision.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 35, entitled Authorizing the appointment of a committee to visit various localities for the purpose of relocating Asylum No. 2, beg leave to report that they have

examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Substitute for Senate bill No. 54, entitled An act to revise and amend title 44 chapter 198 of the General Statutes of the State of Missouri, concerning arbitration and references, beg leave to report that they have considered the same and recommend that it do pass, and further recommend that it be referred to the Joint Committee on Revision; which was read.

House bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references; was taken up, and, on motion, referred to the Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 59, entitled An act to revise title 43 of General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotels and boarding house keepers' liens, contractors material, men and laborers, railroad and equitable liens and notices, beg leave to report that they have considered the same and recommend that it do pass, and further recommend that it be referred to the Committee on Revision; which was read.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics liens, liens for keeping horses and other animals, stud horse liens, vendors liens, personal property, hotel and boardinghouse keepers liens, contractors material, men and laborers liens, railroad and equitable liens and notices; was taken up, and, on motion, referred to the Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Substitute for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and the custody of children, beg leave to report that they have considered the same and recommend that it do pass, and further recommend that it be referred to the Joint Committee on Revision; which was read,

Senate Substitute No. 1, for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children; was taken up, and, on motion, referred to the Committee on Revision.

Senate Substitute No. 1, for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate Substitute No. 2, for Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was called up, read the second time, and, on motion, referred to the Committee on Education.

Senate bill No. 143, entitled An act for the better protection of the county revenue funds of the State; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds for the purpose of meeting and redeeming outstanding revenue bonds, falling due in the year 1879; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 191, entitled An act to amend section one of an act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 203, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution memorializing Congress of the United States, asking for appropriations for the improvement of the western rivers; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House bill No. 307, entitled An act to amend section six (6) of chapter 206 of the General Statutes of Missouri, being section 6 of

article 3 of chapter 42 of Wagner's Missouri Statutes, and to define and provide for the punishment of the crime of incest: was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Greer, Hayes, Hale, Ham, Hammons, Harrigan, Hubbard, Hynes, Helm, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Turner, Warren, Wells, Whitaker, Windes and Withers—94.

ABSENT—Messrs. Campbell of Atchison, Carroll, Dryden, Farr, Freed, Gwynne, Haynes, Ingram, Miles, McIntyre, O'Malley, Pollock, Reynolds, Spring, Taylor, Wisby and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley and Younger—30.

SICK—Messrs. Saunders and Souder—2.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed, substitute for House bill No. 70, entitled An act in relation to public school funds; which was read.

House joint and concurrent resolution No. 35, entitled Joint and concurrent resolution providing for the appointment of a committee to visit various localities for the purpose of relocating Asylum No. 2; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Anderson, Bashaw, Berry, Berryman, Booth, Bowman, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crowther, Dawson, Dilley, Dodson, Dougherty, Drum, Ewing, Gwynne, Ham, Hammons, Hubbard, Helm, Johnson, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McIntyre, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Turner and Withers—67.

NOES—Messrs. Alldridge, Andrews, Beckner, Boulware, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cowan of Christian, Craig, Dade, Davis, Diercks, Ellis, Greer, Hayes, Hale, Hynes, Larimore, McKill, McKinney, Organ, Warren, Wells, Whitaker and Windes—25.

ABSENT—Messrs. Carroll, Coleman, Dryden, Farr, Freed, Haynes, Harrigan, Ingram, Manistre, Miles, Moler, McDaniel, O'Malley, Pollock, Reynolds, Smith of Cedar, Taylor and Wisby—18.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Brewer, Burrows, Crow, Dale, Finks, Foster, Gray, Hall, Harrington, Harrison, Kendall, Knight, Lackland, Lesueur, McCormick of Washington, McCormick of St. Louis city, Ragan, Talbot, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wiley, Younger and Mr. Speaker—31.

SICK—Messrs. Saunders and Souder—2.

On motion of Mr. Moler, the House adjourned until Monday morning at 9 o'clock.

FORTY-NINTH DAY—MONDAY, March 10, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Crowther, the further reading was dispensed with.

Mr. Organ presented a petition from citizens of Dent county, praying the General Assembly to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within this State; which was read, and, on motion, referred to the committee on Constitutional Amendments.

Mr. Davis presented a petition from citizens of Saline county, praying the General Assembly to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Bowman presented a petition from citizens of Rolla, Phelps county, urgently protesting against the repeal of the charter of the city of Rolla; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Cloud presented a petition from citizens of Livingston county, praying the Legislature to submit to the voters of the State a constitutional amendment forever prohibiting the manufacture, importation and sale of intoxicating drinks, as such, in the State of Missouri; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Rawlings presented a petition from citizens of Shelby county, praying the General Assembly to enact a law prohibiting both the sale and manufacture of intoxicating drinks within this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Hale presented a petition from citizens of Stoddard county, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture, importation and sale of intoxicating drinks within this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Andrews presented a petition from citizens of Barton county, praying the Legislature to enact a law providing for township organization; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Davis introduced bill No. 496, entitled An act for the payment of lost defense warrants; which was read the first time and laid over.

Mr. Lockhart introduced bill No. 497, entitled An act in relation to bastards and their maintenance; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 498, entitled An act to amend an act for the government of cities of the fourth class, approved May 15, by adding a new section to article 1 of said act; which was read the first time and laid over.

Mr. Saunders introduced bill No. 499, entitled An act relating to deposits to be made by foreign insurance companies; which was read the first time and laid over.

Mr. Harrigan introduced bill No. 500, entitled An act in relation to bastardy; which was read the first time and laid over.

Mr. Adams introduced bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Missouri Statutes, entitled advertisements, and all acts amendatory thereof; which was read the first time and laid over.

Mr. Adams introduced bill No. 502, entitled An act to amend section 29 of chapter 115 of Wagner's Missouri Statutes, entitled recorder of deeds; which was read the first time and laid over.

Mr. Powers introduced bill No. 503, entitled An act to amend an act entitled an act to amend chapter 57 of the General Statutes of the State of Missouri, entitled of the asylum for the education of the deaf and dumb, and the acts amendatory thereof, approved March 14, A. D. 1871, the same being article 2 of chapter 10 of Wagner's Missouri Statutes, and repealing certain sections of said acts, and of said article 2 of chapter 10 of Wagner's Missouri Statutes, approved April 13, 1877; which was read the first time and laid over.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate,

Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri concerning landlords and tenants.

Also, substitute for Senate bill No. 81, entitled An act to revise and amend that portion of title 42 of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels, in which the concurrence of the House is respectfully requested; which was read.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims to whom was referred House bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury arising from fines, penalties and forfeitures, and from the sale of strays, and for the

investment and preservation of money paid under this act as a county public school fund, beg leave to report that they have considered the same and recommend that it do pass ; which was read.

House bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury arising from fines, penalties and forfeitures, and from the sale of strays, and for the investment and preservation of money paid under this act as a county public school fund ; was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means to whom was referred Senate bill No. 143, entitled An act for the better protection of the county revenue funds of the State, beg leave to report that they have considered the same, and report it back with an amendment and without recommendation ; which was read.

Senate bill No. 143, entitled An act for the better protection of the county revenue funds of the State ; was taken up, with the following, amendment, recommended by the Committee on Ways and Means :

Amend by striking out the words " county court judge," in lines 11 and 12, section 3 of printed bill ; which was read and agreed to, and the bill laid over for third reading.

Mr. Wells, from the Committee on Claims, submitted the following report :

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 119, entitled An act for the relief of Henry De-Bolt, and to appropriate money therefor, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

House bill No. 119, entitled An act for the relief of Henry De-Bolt, and to appropriate money therefor ; was taken up, and, on motion, ordered engrossed and printed.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report :

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred Senate bill No. 44, entitled An act to promote the science of medicine and surgery, beg leave to report that they have considered the same, and report it without recommendation ; which was read.

Senate bill No. 44, entitled An act to promote the science of medicine and surgery ; was taken up, and, on motion, ordered printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 283, entitled An act to amend section 4 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 283, entitled An act to amend section 4 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith; was taken up.

On motion of Mr. Tevis, the bill was laid on the table.

House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and to repeal all laws inconsistent herewith; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 485, entitled An act to amend section 13 of article 9, chapter 82 of Wagner's Missouri Statutes, in relation to justices' courts; was called up, read the second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill No. 486, entitled An act to authorize counties and incorporated cities and towns to issue bonds of small denominations, and at a low rate of interest, for the purpose of funding their indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 487, entitled An act to repeal an act entitled an act to prevent the destruction of fish, approved April 17, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 488, entitled An act to prohibit the manufacture and sale of brooms in the penitentiary and by convict labor; was called up, read the second time, and, on motion, referred to the Committee on Penitentiary.

House bill No. 489, entitled An act to amend section 69 of chapter 118, of Wagner's Missouri Statutes, the same being section 69, acts 1871-2, approved March 30, 1872; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 490, entitled An act to provide for the payment of the wages of labor in the lawful money of the United States; was

called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 492, entitled An act concerning procedure before justices of the peace; was called up, read a second time, and, on motion, referred to the Committee on Justices of the Peace.

House bill 493, entitled An act to provide for filling the office of the recorder of deeds; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 494, entitled An act to regulate the insurance of property against loss or damage by fire, and to prevent the destruction of the taxable wealth of counties, cities and towns; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers, for boarding prisoners; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House joint and concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House bill No. 232, entitled An act to repeal an act entitled an act to authorize and describe the methods of formation of school districts in the counties of Franklin and Webster, approved March 27, 1874; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Booth, Boulware, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Johnson, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Settles,

Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tevis, Turner, Waggener, Warren, Wells, Wiley, Windes, Wisby, Withers and Mr. Speaker—103.

ABSENT—Messrs. Berry, Bowman, Brewer, Chilton, Cock, Davis, Dawson, Diercks, Dryden, McCormick of Washington, Palmer, Taylor and Whitaker—13.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Carroll, Crow, Ewing, Foster, Gray, Hall, Harrison, Ingram, Kendall, Knight, Lackland, Larimore, Lesueur, McCormick of St. Louis city, Ragan, Talbot, Tiernan, Vancleve, Weygandt and Younger—26.

SICK—Mr. Souder—1.

The title of the bill was read and agreed to.

Mr. Booth moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Larimore for three days.

Leave of absence was granted Mr. Ingram for five days.

Leave of absence was granted Mr. Ewing for one day.

Leave of absence was granted Mr. Carroll for one day.

House bill No. 179, entitled An act to amend section 26 of chapter 98 of the General Statutes of Missouri, entitled of dramshop keepers and their licenses, being section 26 of chapter 48 of Wagner's Statutes; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Boulware, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Coleman, Collins, Cowan of Christian, Cowan of Holt, Creager, Dade, Dale, Dilley, Dodson, Dougherty, Ellis, Farr, Finks, Greer, Haynes, Hynes, Helm, Lockhart, Lynn, Mabrey, Mackey, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McIntyre, McKill, McKinney, Patterson of Schuyler, Pollard, Powell, Powers, Riley, Smith of Cedar, Smith of St. Louis city, Turner, Warren, Wells, Whitaker, Windes, Wisby and Withers—59.

NOES—Messrs. Booth, Bowman, Burford, Cloud, Cook, Cooper, Craig, Crowther, Drum, Freed, Gwynne, Hayes, Hale, Ham, Harrigan, Hubbard, Johnson, Kneisley, Mahn, Manistre, McDaniel, McGarry, O'Malley, Organ, Palmer, Patterson of Linn, Pehle, Pepper, Phelan, Pollock, Price, Rawlings, Reynolds, Saunders, Spring, Tevis, Waggener, Wiley and Mr. Speaker—39.

ABSENT—Messrs. Berry, Brewer, Campbell of St. Louis city, Chilton, Chitwood, Cock, Cox, Davis, Dawson, Diercks, Dryden, Hammons,

Harrington, Louthan, McCormick of Washington, Settles, Swank and Taylor—18.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Carroll, Crow, Ewing, Foster, Gray, Hall, Harrison, Ingram, Kendall, Knight, Lackland, Larimore, Lesueur, McCormick of St. Louis city, Ragan, Talbot, Tiernan, Vancleve, Weygandt and Younger—26.

SICK—Mr. Souder—1.

On motion of Mr. Davis, the House went into Committee of the Whole for the further consideration of Senate bill No. 172.

Mr. Cox in the chair.

On motion, the committee rose.

The Speaker took the chair and called the House to order.

Mr. Cox, Chairman of the Committee of the Whole, reported progress, and asked leave to sit again at 2:30 o'clock; which was granted.

On motion of Mr. Mott, the House took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Davis introduced bill No. 504, entitled An act in relation to druggists; which was read the first time and laid over.

On motion of Mr. Davis, the House resolved itself into Committee of the Whole, for the further consideration of Senate bill No. 172.

Mr. Cox in the chair.

On motion, the committee rose.

The Speaker took the chair and called the House to order.

Mr. Cox, Chairman of the Committee of the Whole, reported that the committee had completed consideration of Senate bill No. 172.

Mr. Davis moved that Senate bill No. 172 be printed for the use of the House, and that the bill be made the special order for Wednesday next, at 10½ o'clock; which was agreed to.

Mr. Mott offered the following amendment to the rules of the House:

Resolved, That the following amendment be adopted, to-wit:

Amend article 6, section 24 of the rules and orders of the House of Representatives, by striking out the words, "on the same day or within three days," and add in lieu thereof the words, "at any time

before the same is ordered to third reading," so that section 24 will read as follows:

SECTION 24. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member who voted on the side which prevailed, to move a reconsideration thereof at any time before the same is ordered to third reading, but not thereafter, nor at any time after the paper on which the vote passed is out of the possession of the House, or the vote shall be communicated to the Senate; which was read and laid over for one day.

On motion of Mr. Cox, the House adjourned until to-morrow morning at 9 o'clock.

FIFTIETH DAY—TUESDAY, March 11, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Cock presented a petition from citizens of Henry county, praying the Legislature to submit to a vote of the people an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Cowan of Holt presented a petition from the Teachers' Institute of Oregon county, relating to educational matters; which was read, and, on motion, referred to the Committee on Education.

Mr. Manistre introduced a concurrent resolution, entitled Concurrent resolution proposing an amendment to section six of article ten of the Constitution of Missouri; which was read the first time and laid over.

Mr. Wells offered the following resolution:

Resolved, That a committee of three members from the House be, and are hereby appointed to visit Macon City, Moberly, Springfield, Farmington, Sweet Springs, Charleston, Jefferson City, Monegaw Springs, Brown Springs, Thayer College, Kidder, Mo., and Widows' and Orphans' Home, near Kansas City, for the purpose of

ascertaining the value and availability of the property that the above named places, respectively, desire to donate to the State as an inducement to the relocation of asylum No. 2; and

Resolved, That said committee be instructed to visit St. Joseph, that they may be able to estimate the value of the property belonging to the State used as asylum No. 2, and that they be requested at an early day to state whether in their opinion, it is to the interest of the State to change the location of asylum No. 2, and the reasons for such opinion, and that each member be required to pay his own expenses; which was read.

Mr. Powers offered the following amendment:

Amend by adding that the committee report on or before the first of next August; which was read.

Mr. Davis moved to lay the amendment on the table; which was agreed to.

Mr. Davis moved to reconsider the vote by which House joint and concurrent resolution No. 35, failed to pass on the 8th inst.; which was agreed to.

House joint and concurrent resolution No. 35, entitled Joint and concurrent resolution providing for the appointment of a committee to visit various localities for the purpose of re-locating asylum No. 2; was taken up.

The question being upon the passage of the resolution, the roll was called, and the resolution passed by the following vote:

AYES—Messrs. Adams, Anderson, Bashaw, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McDaniel, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tiernan, Turner, Waggener, Warren, Wiley, Windes, Withers and Mr. Speaker—93.

NOES—Messrs. Alldridge, Andrews, Beckner, Cowan of Christian, Craig, Dade, Dale, Ellis, Haynes, Manistre, Miles, Mudd of Lincoln, McElvain, McIntyre, Organ, Pehle, Saunders, Swank, Taylor, Wells, Wisby and Younger—22.

ABSENT—Messrs. Campbell of St. Louis city, Dawson, Dryden,

Harrington, Ingram, Pepper, Pollock, Powers, Tevis and Whitaker—10.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Kendall, Knight, Lackland, Lari-more, Lesueur, McCormick of St. Louis city, Ragan, Vancleve and Weygandt—18.

The title of the resolution was read and agreed to.

Mr. Riley moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Belch called up the resolution relating to the manner of revising the Statutes of the State, introduced by him on February 24.

Mr. Belch offered the following amendment:

Amend after the preamble, Resolved, that it is the sense of this House that the words "revise and digest" as used in the Constitution means to arrange, to put in order and to correct the laws of a general nature, and therefore it is unnecessary, a great waste of time, and an unwarrantable expenditure of money to introduce and cause to be passed, statutes and acts which are already laws in full force and effect, when the same are not proposed to be amended and repealed; that only such sections should be included in the bill which are proposed to be amended or repealed; therefore the Committee on Revision are instructed to eliminate all such sections of bills which are or may be included in bill sections not proposed to be amended or repealed, and so report them back to the House in their reports contemplated by the form and concurrent resolution No. 33; which was read.

Mr. Bashaw offered the following substitute for the resolution and amendment:

Resolved, That it is the sense of the House of Representatives that the plan of revision by introducing amendments to the statute laws where the same may be necessary, instead of introducing the entire chapters on the different subjects, is the proper and most economical plan, but inasmuch as the Senate has been proceeding upon the latter plan, and any change from that plan will meet with opposition in that body; therefore the House agrees to yield in the matter, rather than endanger the final success of revision; which was read and adopted.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 186, entitled An act to amend section 49 of an act entitled an

act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of act inconsistent therewith, approved April 28, 1877; which was read.

Mr. McDaniel, from the Committee on Revision, submitted the following report:

MR. SPEAKER: Your Committee on Revision, to whom was referred Senate bill No. 61, entitled An act to revise chapter 175 of title 37 of the General Statutes, concerning oaths and affirmations, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 61, entitled An act concerning oaths and affirmations; was taken up, and, on motion, the bill was ordered printed.

Mr. McDaniel, from the Committee on Revision, submitted the following report:

MR. SPEAKER: Your Committee on Revision, to whom was referred substitute for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 1 for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children; was taken up, and, on motion, the bill was ordered printed.

Mr. McDaniel, from the Committee on Revision, submitted the following report:

MR. SPEAKER: Your Committee on Revision, to whom was referred Senate substitute for Senate bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 54, entitled An act to revise and amend title 44, chapter 189 of the General Statutes of the State of Missouri, concerning arbitrations and references; was taken up, and on motion, ordered printed.

Mr. Wells offered the following resolution:

Resolved, That hereafter bills shall be printed in pamphlet form, unless otherwise ordered; which was read, and, on motion, referred to the Committee on Printing.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen, beg leave to report that they have considered the same, and recommend that it do pass, and that the same be referred to Committee on Revision; which was read.

Senate substitute No. 2 for Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen; was taken up, and, on motion, referred to the Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate substitute for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage, beg leave to report that they have considered the same, and recommend that it do pass, and that it be referred to Committee on Revision; which was read.

Senate substitute for No. 1 for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage; was taken up, and, on motion, referred to the Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was taken up.

Mr. Anderson offered the following amendment:

Amend by striking out the words "fourth Monday in February" and inserting "Second Monday in February;" which was read and agreed to.

The bill, as amended, was laid over for third reading.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was re-committed Substitute for House bill No. 253, entitled substitute for House bill No. 253, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

Substitute for House bill No. 253, entitled An act amending section 54 of an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up with the following amendment recommended by the Committee on Judiciary :

Strike out the words "third Mondays in May and November," in the last line of section 2, and insert in lieu thereof the words "second Mondays in February and August;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 303, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by adding an additional proviso thereto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 303, entitled An act to amend section 20 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by adding an additional proviso thereto; was taken up, and on motion, referred to the Committee on Revision.

The special order being the consideration of House joint and concurrent resolution No. 13, entitled Joint and concurrent resolution submitting to the qualified voters of the State of Missouri an amendment to the State Constitution providing that criminals may be proceeded against by indictment or information, as may be provided by law; was taken up, and the House refused to order the resolution to engrossment and printing.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created, and have concurred in Nos. 1 and 2 as follows :

Amendment No. 1.—Amend section 2, line 2, printed bill, by striking out the words “any purpose authorized by law,” and insert the words “the purpose of building a court-house and jail.”

Amendment No. 2.—Amend section 3, line 6, printed bill, by inserting before the word “and” at the beginning of said line, the words “the rate of the increase of the tax levy,” and that the Senate refuses to concur in amendment No. 3, as follows :

Amendment No. 3.—Amend section 7, line 11, by striking out all after the word “purposes” at the beginning of said line in printed bill, and respectfully request the House to recede therefrom ; which was read.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 180, entitled An act to amend an act entitled of husband and wife and the rights of married women, being chapter 115 of the General Statutes of 1865 ; also,

Senate bill No. 219, entitled An act providing for the enlargement of burial grounds, and providing the manner for the appropriation and valuation of lands taken therefor, in which the concurrence of the House is respectfully requested ; which was read.

Mr. Carroll introduced bill No. 505, entitled An act to amend an act entitled an act to exempt certain property used exclusively for religious worship, for school or for purely charitable purposes from taxation, approved April 28th, 1877, by adding thereto a new section ; which was read the first time and laid over.

Mr. Cloud introduced bill No. 506, entitled An act to provide for the redemption of real estate sold under a deed of trust or foreclosure of mortgages or lien thereon, and to repeal all acts inconsistent herewith ; which was read the first time and laid over.

Mr. Chenoweth offered the following resolution :

WHEREAS, The use of this hall having been, through inadvertence, granted to different parties on Wednesday evening ; therefore,

Resolved, That the use of this hall be tendered to S. D. Carpenter, on Thursday evening of this week, for an address on the subject of railway transportation, etc.; which was read and agreed to.

Mr. Settles introduced bill No. 507, entitled An act to amend an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding two new sections thereto, to be known as sections 20 and 21; which was read the first time and laid over.

On motion of Mr. Cox, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the Chair.

Mr. Maynard moved to reconsider the vote by which the House refused to order House Joint and Concurrent resolution No. 13, to be engrossed and printed.

Mr. Wisby moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail, by the following vote:

AYES—Messrs. Berryman, Booth, Bowman, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Cook, Cooper, Cowan of Holt, Cox, Dade, Dale, Davis, Dilley, Dodson, Drum, Ellis, Finks, Foster, Gwynne, Hayes, Hale, Ham, Harrington, Johnson, Lockhart, Louthan, Mabrey, Mackey, Mahn, Moler, Mudd of Lincoln, McGarry, McKill, Palmer, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Wiley, Windes and Wisby—51.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Boulware, Brewer, Burford, Chilton, Cloud, Coleman, Collins, Cowan of Christian, Craig, Creager, Crowther, Diercks, Dougherty, Ewing, Farr, Freed, Greer, Hammons, Harrison, Hubbard, Hynes, Helm, Kniesley, Lynn, Manistre, Maynard, Miles, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Saunders, Smith of Cedar, Swank, Tiernan, Turner, Waggener, Warren, Wells, Whitaker, Withers, Younger and Mr. Speaker—61.

ABSENT—Messrs. Anderson, Beckner, Campbell of St. Louis city, Dawson, Dryden, Haynes, Harrigan, Morrison, McDaniel, McIntyre, Pollock and Souder—12.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Lackland, Larimore, Lesueur, McCormick of St. Louis city, Ragan, Vancleve and Weygandt—19.

The question recurring upon the motion to reconsider,

The ayes and noes being demanded, and the motion prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Boulware, Brown, Burford, Chilton, Cloud, Collins, Cowan of Christian, Craig, Creager, Crowther, Diercks, Ewing, Farr, Freed, Greer, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lynn, Manistre, Maynard, Miles, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Tiernan, Turner, Waggener, Warren, Wells, Whitaker, Withers and Younger—59.

NOES—Messrs. Berryman, Booth, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Cook, Cooper, Cowan of Holt Cox, Dade, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Foster, Gwynne, Hayes, Hale, Ham, Haynes, Harrigan, Harrington, Lackland, Lockhart, Louthan, Mabrey, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McGarry, McKill, O'Malley, Palmer, Riley, Reynolds, Settles, Spring, Talbot, Taylor, Tevis, Wiley, Windes, Wisby and Mr. Speaker—57.

ABSENT—Messrs. Anderson, Campbell of St. Louis city, Dawson, Dryden, McDaniel, McIntyre, Pollock and Souder—8.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Larimore, Lesueur, McCormick of St. Louis city, Ragan, Vancleve and Weygandt—18.

SICK—Mr. Berry—1.

The question being upon the engrossment and printing of the resolution,

The ayes and noes being demanded, and the House refused to order the resolution to engrossment and printing by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Boulware, Burford, Chilton, Collins, Cowan of Christian, Craig, Creager, Diercks, Ewing, Farr, Freed, Greer, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Lynn, Maynard, Miles, McCormick of Washington, McElvain, McKill, McKinney, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Pollard, Poweil, Powers,

Price, Rawlings, Saunders, Smith of Cedar, Swank, Tiernan, Turner, Waggener, Wells, Whitaker, Withers and Younger—51.

NOES — Messrs. Berryman, Booth, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Crowther, Dade, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Foster, Gwynne, Hayes, Ham, Haynes, Harrigan, Harrington, Lackland, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McGarry, O'Malley, Palmer, Phelan, Riley, Reynolds, Settles, Smith of St. Louis city, Talbot, Taylor, Warren, Wiley, Windes, Wisby and Mr. Speaker—61.

ABSENT—Messrs. Anderson, Campbell of St. Louis city, Cloud, Dawson, Dryden, Kneisley, McDaniel, McIntyre, Pollock, Souder, Spring and Tevis—12.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Larimore, Lesueur, McCormick of St. Louis city, Ragan, Vancleve and Weygandt—18.

SICK—Mr. Berry—1.

Mr. Booth moved to reconsider the vote by which the House refused to order the resolution to engrossment and printing, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Patterson of Linn for eight days.

Leave of absence was granted Mr. Warren for eight days.

The special order being the consideration of House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Statutes, third edition, concerning the jurisdiction of justices courts; was taken up.

Pending the consideration of which,

On motion of Mr. Louthan, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-FIRST DAY—WEDNESDAY, March 12, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Settles, the further reading was dispensed with.

Mr. Mott called up the amendment to section 24 of the rules offered by him March 11th; which was read and adopted.

Mr. Chilton introduced bill No. 508, entitled An act to amend section 15 of chapter 98 of the General Statutes of Missouri, entitled of dramshop keepers and their licenses, and to add two new sections to said chapter, to be numbered sections 34 and 35; which read the first time and laid over.

Mr. Pepper introduced bill No. 509, entitled An act to provide for the purchase and supplying of school books for the use of the different school districts in the State of Missouri; which was read the first time and laid over.

Mr. Price introduced bill No. 510, entitled An act to amend an act entitled an act to amend section 1 of chapter 96 of the General Statutes of Missouri, entitled peddlers' licenses, the same being section 1, chapter 106 of Wagner's Statutes, approved April 12, 1877; which was read the first time and laid over.

Mr. Mudd of Lincoln introduced bill No. 511, entitled An act to preserve the purity of elections, and prevent official corruption; which was read the first time and laid over.

Mr. Mott introduced bill No. 512, entitled An act to amend section 33 of an act entitled an act for the incorporation and regulation of life assurance companies, approved March 10, 1869, being section 33 of article 2, chapter 76 of Wagner's Statutes; which was read the first time and laid over.

Mr. Powers introduced bill No. 513, entitled An act to require the Governor to appoint a committee of the General Assembly to examine the State Institutions; which was read the first time and laid over.

Mr. Wells introduced bill No. 514, entitled An act to amend section 25 of chapter 32 of the General Statutes of Missouri, concerning witness fees; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 515, entitled An act to amend section 10 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877; which was read the first time and laid over.

Mr. Haynes introduced bill No. 516, entitled An act to amend section 2 of chapter 141 of the General Statutes of Missouri; which was read the first time and laid over.

Mr. Harrington introduced bill No. 517, entitled An act in relation to nursery stock grown in this State, and non-exemption of certain property; which was read the first time and laid over.

Mr. Whitaker introduced bill No. 518, entitled An act to regulate the sale of spiritous liquors; which was read the first time and laid over.

The special order being the consideration of House joint and concurrent resolution No. 7, entitled Concurrent resolution submitting to the qualified voters of the State of Missouri, an amendment to the Constitution of said State, providing for a Supreme Court commission; was taken up, and, on motion, was made special order for Wednesday, March 19, 1879.

House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, third edition, the same being sections 2 and 3 of chapter 177 of the General Statutes, concerning the jurisdiction of justices courts, pending at the hour of adjournment yesterday, was called up.

Mr. Pehle offered the following amendment:

Section 4 shall hereby be amended as follows: Section 4. This act shall not apply to counties or cities having over fifty thousand inhabitants; which was read and agreed to.

Mr. Pehle offered the following amendment:

Amend by striking out all of section 2 after the word, "action," in line 9; which was read and agreed to.

Mr. Collins offered the following amendment:

Amend sixth line of section 3, "not exceeding two hundred dollars, exclusive of interest; which was read and agreed to.

Mr. Burford offered the following amendment:

Amend by adding section 3, "provided, that the jurisdiction upon past contracts shall not be increased;" which was read and not agreed to.

Mr. Louthan offered the following amendment:

Amend section 3 by striking out after the word, "contract," in second line, all words thereafter up to the word "second," in fourth line, and by striking out after the word "money," in fifth line, all words thereafter up to the word "third," in the sixth line; which was read.

Mr. Haynes moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Anderson, Bashaw, Bryan, Carroll, Chenoweth, Chilton, Cock, Craig, Hale, Haynes, Louthan, McIntyre, Rawlings, Smith of Cedar, Tevis, Turner and Windes—17.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper,

Cowan of Christian, Cowan of Holt, Cox, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lackland, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Waggener, Wells, Wiley, Withers and Wisby—97.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Campbell of St. Louis city, Dryden, Miles, McKinney, Pollock, Souder, Whitaker and Younger—8.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Lesueur, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—19.

SICK—Mr. Berry—1.

The question recurring on agreeing to the amendment; it was not agreed to.

The question being on engrossment and printing, the bill as amended, was ordered engrossed and printed.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 70, entitled An act in relation to public school funds, and find the same truly and correctly enrolled; which was read.

House bill No. 70, entitled An act in relation to public school funds, was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report having carefully examined House bill No. 186, entitled An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the time for holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, find the same truly and correctly enrolled; which was read.

House Bill No. 186, entitled An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the time for holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

The special order being the consideration of House bill No. 52, entitled An act to amend sections 3 and 5 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 245, 173, of an act entitled an act concerning the assessment and collection of revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252, 253, approved April 28, 1877; and also to amend sections 38, 48 and 59, of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Dade, Dawson, Diercks, Dodson, Dougherty, Drum, Freed, Greer, Hale, Ham, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lockhart, Mabrey, Mackey, Maynard, Miles, Moler, Morrison, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Talbot, Taylor, Turner, Waggener, Whitaker, Wiley, Windes, Withers and Younger—82.

NOES—Messrs. Bryan, Carroll, Craig, Crowther, Dale, Davis, Dilley, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Haynes, Harrigan, Larimore, Louthan, Lynn, Mahn, Manistre, Mott, Mudd of Lincoln, McElvain, O'Malley, Phelan, Rawlings, Smith of St. Louis city, Tevis, Tiernan, Wells and Mr. Speaker—32.

ABSENT—Messrs. Bashaw, Campbell of St. Louis city, Dryden, Lackland, Mudd of St. Louis, Pollock, Souder, Swank, Wisby—9.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Lesueur, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—19.

SICK—Mr. Berry—1.

The emergency clause failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw,

Beckner, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Dade, Davis, Dawson, Piercks, Dodson, Dougherty, Drum, Farr, Freed, Greer, Hale, Ham, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lockhart, Mabrey, Mackey, Maynard, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McDaniel, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—89.

NOES—Messrs. Bryan, Carroll, Craig, Crowther, Dale, Dilley, Ellis, Ewing, Finks, Foster, Gwynne, Hayes, Haynes, Harrigan, Lackland, Larimore, Louthan, Lynn, Mahn, Manistre, Mott, McElvain, McGarry, O'Malley, Phelan, Rawlings, Smith of St. Louis city, Tiernan—28.

ABSENT—Messrs. Arnold, Ballew, Bohannon, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Lesueur, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—18.

ABSENT WITHOUT LEAVE—Messrs. Bonham, Campbell of St. Louis city, Dryden, Mudd of Lincoln, Pollock, Souder and Tevis—7.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Pepper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud-horse liens, vendors' liens, personal property, hotel and boarding house-keepers' liens, contractors' material, men and laborers' liens, railroads and equitable liens and notices, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud-horse liens, vendors' liens, personal property, hotel and boarding house-keepers' liens, contrac-

tors' material, men and laborer's liens, railroad and equitable liens and notices; was taken up, with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—That section 28 of said bill be stricken out; which was read and agreed to.

Amendment No. 2—That the numbers of the sections of said bill from section 29 to section 51, inclusive, be changed by striking out the figures 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51, wherever they occur as numbers of said sections, and inserting in lieu thereof, as the numbers of said respective sections, the figures 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50; which was read and agreed to.

Amendment No. 3—That section 51 be amended by striking out the words, "stud-horse liens," wherever they occur therein; which was read and agreed to.

Amendment No. 4—That the title to said bill be amended by striking out the words, "stud-horse liens," wherever they occur therein; which was read and agreed to.

On motion, the bill was ordered printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Substitute No. 1 for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

Senate substitute No. 1 for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage; was taken up, with the following amendment recommended by the Joint Committee on Revision:

Amend by striking out the word "chapter," wherever it occurs in this bill, except in the title thereof, and inserting in lieu of said word, "chapter," the word, "act;" which was read and agreed to.

On motion, the bill was ordered printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred substitute No. 2 for Senate No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

Substitute No. 2 for Senate bill No 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen; was taken up, with the following amendment recommended by the Joint Committee on Revision:

Amend by striking out the word, "chapter," wherever it occurs in this bill, except in the title thereof, and inserting the word "act," in lieu of the said word, "chapter;" which was read and agreed to.

On motion, the bill was ordered printed.

Senate bill No. 143, entitled An act for the better protection of the county revenue funds of this State; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Booth, Boulware, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gwynne, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Kneisley, Larimore, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—98.

NOES—Messrs. Bowman, Brewer, Cooper, Drum, Greer, Hayes, Harrigan, Johnson, Lackland, Lockhart, Mabrey, Manistre, Mott and Powers—14.

ABSENT—Messrs. Campbell of St. Louis city, Diercks, Dryden, Foster, Harrington, Maynard, Morrison, McKill, Pollock, Souder and Smith of Cedar—11.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Gray, Hall, Ingram, Kendall, Knight, Lesueur, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—19.

SICK—Mr. Berry—1.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Booth, Boulware, Bowman, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian,

Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Greer, Gwynne, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Larimore, Louthan, Lynn, Mackey, Mahn, Maynard, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley Windes, Wisby, Withers, Younger and Mr. Speaker—102.

NOES—Messrs. Brewer, Cooper, Diercks, Drum, Hayes, Johnson, Lackland, Lockhart, Mabrey, Manistre, Mott and Powers—12.

ABSENT—Messrs. Brown, Campbell of St. Louis city, Dryden, Foster, Freed, Harrigan, Morrison, Pollock, Souder and Smith of Cedar—10.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Brady, Burrows, Crow, Hall, Ingram, Kendall, Knight, Lesueur, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—18.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Taylor offered the following resolution, amending the rules:

Resolved, That the rules of the House be so amended to read as follows:

That the Chairman of the Committee on Revision be permitted to report from that committee, at any time during the sitting of the House, and that all reports from that committee shall be recognized by the Speaker as privileged questions; which was read and laid over.

The special order being the consideration of Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was taken up, and, on motion, made the special order for to-morrow morning, at 10½ o'clock.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, March 12, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR:—I return to the House, with my approval endorsed thereon, bills of the following titles:

An act in relation to public school funds.

An act to amend section 49 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman Palace Cars, hired or leased from said company under the railroad assessment and collection laws of the State; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate bill No. 84, entitled An act to revise and amend title seven, (7) chapter 15 of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate bill No. 130, entitled An act to amend section 42 of an act, entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was taken up, and, on motion, referred to the Joint Committee on Revision.

House bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend section 1 of printed bill, as follows: In line 3, after the word "cities," insert the words "and towns incorporated by the laws of this State;" also in line 3, strike out the words "having a population of thirty thousand or more;" in line 4, after the word "cities," the words "or towns;" in line 4, after the words "register," insert the words "city or town clerk;" which was read and agreed to.

Amendment No. 2—Amend section 2 of printed bill, as follows : In line 3, after the word “cities,” insert the words “or towns;” in same line after the word “register,” insert the words “city or town clerk;” in line 5, after the word “city,” insert the words “or towns;” in line 13, after the word “city,” insert the words “or towns;” in line 16, after the word “cities,” insert the words “or towns;” which was read and agreed to.

Amendment No. 3—Amend section 3 of printed bill, as follows : In line 2, after the word “cities,” insert the words “or towns;” in line 6, after the word “cities,” insert the words “or towns;” which was read and agreed to.

Amendment No. 4—Amend section 4 of printed bill, as follows : In line 12, after the word “cities,” insert the words “or towns;” also in line 12, after the word “mayor,” insert the words “or other chief officer;” in line 15, after the word “cities,” insert the words “or towns;” also in line 15, after word “mayor,” insert the words “or other chief officer.” Add the following to the end of section 4: “And provided further, that in cities of thirty thousand or more inhabitants, the attorney appointed by the collector, with the approval of the mayor of such cities, for the purpose of prosecuting suits for taxes under this act, shall be entitled to a fee in any suit, such sums not exceeding five per cent. after judgment is obtained on all sums collected and paid into the treasury, and if such taxes are paid before judgment is obtained, the attorney so collecting shall be entitled to a fee not exceeding two per cent. on all sums so collected and paid into the treasury;” which was read and agreed to.

Amendment No. 5—Amend section 5 of printed bill, as follows : In line 2, after the word “register,” insert the words “city or town clerk;” in line 6, after the word “cities,” insert the words “or towns;” in line 6, after the word “register,” insert the words “city or town clerk;” which was read and agreed to.

Amendment No. 6—Amend section 6 of printed bill, as follows : In line 3, before the word “cities,” strike out the word “such,” and in same line after the word “cities,” insert the words of thirty thousand inhabitants or more;” in line 4, before the word “cities,” insert the word “excepted;” in line 9, after the word “city,” insert the words “or towns;” which was read and agreed to.

Amendment No. 7—Amend section 7 of printed bill as follows : In line 14, after the word “city,” insert the words “or town,” and in same line, after the word “city,” strike out the words “of thirty thousand or more inhabitants.” In same line, before the word “delinquent,” insert the words “or town.” In line 16, after the word “city,”

insert the words "or town." In line 18, after the word "city," insert the words "or town;" which was read and agreed to.

Amendment No. 8—Amend section 8 of printed bill as follows: In line 4, after the word "cities," insert the words "or towns." In lines 4 and 5 strike out the words "containing a population of thirty thousand or more inhabitants;" which was read and agreed to.

Amendment No. 9—Strike out the whole of section 9 of printed bill; which was read and agreed to.

Amendment No. 10—Amend by adding a new section to be numbered as section 9. "Section 9. A lien such as is now provided for by law in favor of the State for taxes due and unpaid on real estate is hereby created in favor of cities or towns for taxes due thereon, and for all interest and costs accrued thereon or incurred under this act: Provided, that all liens now existing in favor of said cities by virtue of their charters, is hereby retained and the same be enforced in the same manner and with like effect as provided for in this act; which was read and agreed to.

Amendment No. 11. Amend by adding a new section, to be known as section 10. Section 10. In all cases where any such city or town shall have assessed and levied taxes, general or special, on any real estate, according to law, whether the same be delinquent or otherwise, and until the same are collected and paid, with all costs, interest and penalties thereon, the mayor and council of any such city or town shall have full power to correct any errors which may appear in connection therewith, whether of valuation subject to the provisions of the Constitution of the State, or description of ownership, double assessment, omission from the assessment list or books, or otherwise, and to make such valuation, assessment and levy to conform in all respects to the requirements of the law; which was read and agreed to.

Amendment No. 12—Amend by adding a new section, to be numbered section 11. Section 11. That section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and all acts and parts of acts, whether special or general, inconsistent or in conflict with this act are hereby repealed; that section 10 of printed bill be known and numbered as section 12; which was read and agreed to.

Mr. Davis offered the following amendment: Strike out all after the word "cities," in line seven of section 4 of printed bill down to the words "and for" in line ten of same section; which was read and agreed to.

Mr. Riley offered the following amendment: Amend section 1, line six, by substituting "1870" instead of 1865; which was read and not agreed to.

Mr. Davis offered the following amendment: Strike out the proviso in section 4, beginning with the word "provided," in line twenty-one of said section in printed bill; which was read and agreed to.

Mr. Lackland offered the following amendment: Amend section 4 by striking out lines 55 and 56; which was read and agreed to.

Pending the consideration of the bill,

On motion of Mr. Foster, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-SECOND DAY—THURSDAY, March 13, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cowan of Holt, the further reading was dispensed with.

Leave of absence was granted Mr. Settles for five days.

Mr. Burrows' leave of absence was extended.

Mr. Tiernan presented a petition from the Board of Trade of Kansas City, protesting against State legislation regulating grain warehouses and State inspectors of grain; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Smith, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 166, entitled An act to amend chapter 38 of the General Statutes of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 224, entitled An act authorizing the sale or lease of real estate belonging to insane persons under guardianship

for reinvestment, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 297, entitled An act to amend section 44 of an act dividing the State into judicial circuits, providing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 292, entitled An act to amend section 16 of an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter, to be called section 15, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 159, entitled An act to prevent the sale of deadly weapons to minors, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Knight presented a petition from citizens of Harrison county, in relation to restricting the sale of intoxicating drinks by drug

stores ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 305, entitled An act to provide for the transferring of unexpended balances in county treasuries.

Also Senate bill No. 182, entitled An act to amend section 2 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877.

Also Senate bill No. 234, entitled An act to regulate the building of barbed wire fence.

Also Senate bill No. 240, entitled An act to amend section 14 of chapter 53 of the General Statutes of Missouri, in relation to bridges, the same being section 14 of chapter 23 of Wagner's Missouri Statutes.

Also Senate bill No. 193, entitled An act to supply certain courts of record not provided for by law, with the reports of the Supreme Court decisions ; in which the concurrence of the House is respectfully requested ; which was read.

Mr. Alldridge presented a petition from citizens of Moniteau county, praying the General Assembly to pass what is known as the local option liquor law, by which the question of granting dramshop licenses may be submitted to the voters of each county at the general elections ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Hale presented a petition from citizens of Stoddard county, praying the General Assembly to submit to a vote of the people an amendment to the Constitution of the State entirely prohibiting the manufacture and sale of intoxicating drinks within the State ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

House bill No. 496, entitled An act for the payment of lost defense warrants ; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 497, entitled An act in relation to bastards and their maintenance ; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 498, entitled An act to amend an act for the government of cities of the fourth class, approved May 15, 1877, by adding a new section to article 1 of the said act ; was called up, read the sec-

ond time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 499, entitled An act relating to deposits to be made by foreign insurance companies; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 500, entitled An act in relation to bastardy; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Missouri Statutes, entitled advertisements, and all acts amendatory thereof; was called up, read the second time, and, on motion, referred to the Committee on Printing.

House bill No. 502, entitled An act to amend section 29 of chapter 115 of Wagner's Missouri Statutes, entitled recorder of deeds; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

House bill No. 503, entitled An act to amend an act entitled an act to amend chapter 57 of the General Statutes of the State of Missouri, entitled of the asylum for the education of the deaf and dumb, and the acts amendatory thereof, approved March 14, 1871, the same being article 2 of chapter 10 of Wagner's Missouri Statutes, and repealing certain sections of said acts, and of article 2 of chapter 10 of Wagner's Missouri Statutes, approved April 13, 1877; was called up, read the second time, and, on motion, referred to the Committee on Asylums.

House bill No. 504, entitled An act in relation to druggists; was called up, read the second time, and, on motion, referred to the Committee on Scientific and Benevolent Institutions.

House bill No. 505, entitled An act to amend an act entitled an act to exempt certain property, used exclusively for religious worship, for school or purely charitable purposes, from taxation, approved April 28, 1877, by adding thereto a new section; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 506, entitled An act to provide for the redemption of real estate sold under deeds of trust, or foreclosure of mortgage or lien thereon, and to repeal all acts inconsistent herewith; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 507, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of commissioners, and to prescribe

their powers and duties, approved March 29, 1875, by adding two new sections thereto, to be known as section 20 and section 21; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 508, entitled An act to amend section 15 of chapter 98 of the General Statutes of Missouri, entitled of dramshop keepers and their licenses, and to add two new sections to said chapter, to be numbered sections 34 and 35; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 509, entitled An act to provide for the purchase and supplying of school books for the use of the different school districts in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 510, entitled An act to amend an act entitled an act to amend section 1 of chapter 96 of the General Statutes of Missouri, entitled peddlers' licenses, the same being section 1, chapter 106 of Wagner's Statutes, approved April 12, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 511, entitled An act to preserve the purity of elections, and prevent official corruption; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 512, entitled An act to amend section 33 of an act entitled an act for the incorporation and regulation of life assurance companies, approved March 10, 1869, being section 33 of article 2, chapter 76 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 513, entitled An act to require the Governor to appoint a committee of the General Assembly to examine the State institutions; was called up, read the second time, and, on motion, referred to the Committee on Permanent Seat of Government.

House bill No. 514, entitled an act to amend section 25 of chapter 32 of the General Statutes of Missouri, concerning witness fees; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 515, entitled An act to amend section 10 of article 1, of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 516, entitled An act to amend section 2 of chapter 141 of the General Statutes of Missouri; was called up, read the

second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 517, entitled An act in relation to nursery stock grown in this State, and non-exemption of certain property; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 518, entitled An act to regulate the sale of spirituous liquors; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House concurrent resolution No. 42, entitled Concurrent resolution submitting to the qualified voters of the State an amendment to section 6 of article 10 of the Constitution of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 27, with House amendments Nos. 1 and 2 to the same, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman Palace cars hired or leased from said company, under the railroad assessment and collection laws of the State, beg leave to report that they have considered the same and recommend that it do pass, with the House amendments thereto, together with the accompanying amendment No. 3; which was read.

Senate bill No. 27, entitled An act authorizing railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman Palace cars hired or leased from said company, under the railroad assessment and collection laws of the State; was taken up with the following amendment recommended by the Joint Committee on Revision:

Amendment No. 3—Amend by striking out the title and inserting the following as the title of the bill: "An act authorizing railroad companies paying taxes on sleeping, palace, passenger or other cars hired, leased or run on their roads, to sue for and recover such taxes, so paid, with interest."

The amendment was read and agreed to, the bill ordered printed for information and laid over for third reading.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 141, and the House amendment thereto, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts

therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county, beg leave to report that they have considered the same, and recommend that it do pass, with the House amendment thereto; which was read.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was taken up, and, on motion, the bill was laid over for a third reading.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, and, on motion, laid over for third reading.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up.

On motion of Mr. Davis, the further consideration of the bill was postponed until Thursday, March 20, 1879, at 10½ o'clock A. M.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr,

Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley, Windes and Withers—112.

ABSENT—Messrs. Brady, Campbell of Atchison, Dade, Dryden, Haynes, Harrigan, Johnson, Phelan, Saunders, Souder, Smith of Cedar, Swank, Taylor, Wisby, Younger and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Arnold, Ballew, Bohannon, Bonham, Burrows, Crow, Hall, Ingram, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—14.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Hammons moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was taken up with the following House amendment:

Amendment No. 3—Amend section 7, line 11, by striking out all after the word "purposes" at the beginning of said line in printed bill.

The Senate having refused to concur therein, the question was upon the House receding therefrom.

On motion of Mr. Davis, the House receded from the amendment.

House bill No. 438, entitled An act authorizing the Attorney-General to institute proceedings for the recovery of certain moneys; was taken up, read the time, and passed, by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berryman, Booth, Boulware, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan,

Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby, Withers and Younger—111.

NOES—Messrs. Bowman, Cooper and Dade—3.

ABSENT—Messrs. Berry, Brady, Campbell of Atchison, Campbell of St. Louis city, Dryden, Ewing, Harrington, Hynes, Lynn, Manistre, McDaniel, Reynolds, Souder, Taylor, Tiernan and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Hall, Ingram, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—13.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby, Withers and Younger—115.

NOES—Mr. Hynes—1.

ABSENT—Messrs. Anderson, Campbell of Atchison, Campbell of St. Louis city, Cock, Cooper, Dade, Dawson, Dryden, Greer, McDaniel, Souder, Taylor, Tiernan and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, McCormick of St. Louis city, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—12.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 264, entitled An act for the protection of California quails; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berryman, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Wells, Whitaker, Wiley, Windes, Wisby, Withers and Younger—110.

NOES—Messrs. Dade, Drum and Miles—3.

ABSENT—Messrs. Berry, Booth, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Davis, Dryden, Hall, Haynes, Johnson, Kendall, McCormick of St. Louis city, McDaniel, Powers, Souder, Taylor, Waggener and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren, Weygandt and Settles—12.

The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

Report No. 1—MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred the accompanying resolution, relating to the Missouri Pacific Railroad Co., southwest branch, submit the following report, and recommend that that portion of the resolution asking what legislation, if any, is necessary on said matters, together with the facts and references herein contained, be referred to the Committee on Judiciary; which was read and adopted.

Report No. 2—MR. SPEAKER: Your Committee on Internal Improvements, in compliance with a resolution of the House of Representatives, requesting it to inquire what aid has been extended by the State to the Missouri Pacific Railroad Company, southwest branch, in what amounts, upon what terms, and upon what security, and also to inquire what is now the condition of the securities, if any so taken, and whether any default has been made by said railroad company in any of its obligations to the State, and to report to this House what legislation if any is necessary on said matters, beg leave to report as follows:

In answer to that portion of the resolution concerning the amount, terms and security, upon which aid was extended to this railroad, a brief statement will suffice, as this has long since ceased to be a matter of public interest, owing to the fact that the original lien on the road was cancelled by the terms of the first sale, or more properly speaking, by the sale itself, the subsequent lien of \$300,000 being one of contract.

The State of Missouri at different times, and by different enactments, granted aid to said railroad company by issuing State bonds amounting in the aggregate to \$4,500,000.

2. Under the act of December 25, 1852, the General Assembly granted to said railroad company, a portion of the land granted by the Congress of the United States to this State, to aid in the construction of certain railroads, the land along the line of the Pacific Railroad, southwest branch, from the point where the same diverges from the main line of the Pacific Railroad, to the western boundary of the State, which in the aggregate, amounted to over 1,000,000 acres.

In the year 1867 the road was sold to Gen. John C. Fremont, pursuant to an act authorizing the foreclosure of the State's lien thereon, and the sale of the road, approved February 19, 1866.

Fremont paid \$324,850.50 as a first payment, and defaulting in the next payment of \$——, the Governor, under the terms of the act of foreclosure, declared the sale forfeited, and in the name of the State resumed possession of the road, and placed it under the charge of Gen. Clinton B. Fisk, who was running it when the General Assembly met in 1868.

That body passed an act, which was approved March 17, 1868, disposing of the road, and granting and transferring to A. C. Kingsland and his associates, twenty-eight in number, all its franchises and property of every description, including the lands above referred to, in trust for the South Pacific Railroad Company, and upon two conditions, namely: That said company shall complete the said railroad to the western State line, by the 10th day of June, 1872; and that the said

South Pacific Railroad Company should pay to the State the sum of \$300,000 in three annual payments; the section of the act covering the second condition is here copied in full.

Section 17. That the said South Pacific Railroad Company shall pay to the State of Missouri the sum of three hundred thousand dollars, one hundred thousand dollars to be paid on or before the first day of June, 1874, and the sum of one hundred thousand dollars on or before the first day of June, 1875, and one hundred thousand dollars on or before the first day of June, 1876; which shall be in addition to the other conditions imposed by this act, and which sum shall be secured to be paid to the State of Missouri by the bond of said company, with approved security, and which bond shall be given before said company takes possession of said road. When said sum shall be paid into the State Treasury, the same shall be paid into the State interest fund.

Under the provisions of the act, the company filed their acceptance and took possession of the road.

Their bond was filed with the Secretary of State on the 17th day of June, 1868, with William B. McKean and S. N. Jouett, as securities, with the approval of the Governor, Thos. C. Fletcher, indorsed thereon, and is in words and figures as follows:

Know all men by these presents: That the South Pacific Railroad Company, a corporation created under the laws of the State of Missouri, as principal, and William B. McKean and S. Normand Jouett, both of the city, county and State of New York, as sureties, are holden and firmly bound and obliged unto the State of Missouri in the sum of *Three Hundred Thousand Dollars*, to be paid unto the State of Missouri, for which payment, well and truly to be made, the said company doth bind itself and its successors and its representatives; and the said McKean and Jouett do bind themselves, their heirs, executors and administrators, jointly and severally, firmly by these presents.

In testimony whereof, the said South Pacific Railroad company has caused its corporate seal to be herewith affixed, and the same to be signed by Francis B. Hays, its president, and William Halsey, its treasurer, thereto duly authorized, and the said McKean and Jouett have hereunto set their hands and seals this tenth day of June, in the year of our Lord eighteen hundred and sixty-eight.

The condition of this obligation is such, that if the said South Pacific Railroad Company shall pay to the State of Missouri, in pursuance of the seventeenth section of an act of the General Assembly of said State of Missouri, entitled An act to dispose of the Southwest

Pacific Railroad and other property belonging thereto, and to secure the early completion of said road, which act was approved by the Governor of said State of Missouri, in March 17th, A. D. 1868, the sum of three hundred thousand dollars, by installments, payable at the following times, viz.: One hundred thousand dollars to be paid on or before the first day of June, in the year of our Lord 1874, and the sum of one hundred thousand dollars on or before the first day of June, 1875, and one hundred thousand dollars on or before the first day of June, 1876; then this obligation to be void, otherwise, to remain in full force and virtue.

(Signed) SOUTH PACIFIC RAILROAD COMPANY.

By Francis B. Hays, President.

William Halsey, Treasurer.

L. S.	W. B. McKean.	[L. S.]
{ South Pacific R. R. Company }	S. Normand Jouett	[L. S.]

I, Thomas C. Fletcher, Governor of the State of Missouri, hereby approve the foregoing bond, with the above-named sureties as security, and in behalf of the State of Missouri, I hereby accept the same in full satisfaction and performance of the requirements of the seventeenth section of the above named act of the General Assembly of the State of Missouri.

Witness my hand, this 11th day of June, A. D. 1868.

(Signed) THOS. C. FLETCHER,

Governor of the State of Missouri.

On the 21st day of October, 1870, the Southwest Pacific and the Atlantic and Pacific railroad companies were consolidated under the corporate name of the latter, by virtue of an act of the General Assembly, approved March 24, 1870.

Under the provisions of this last act, the existing company assumed all the obligations and liabilities of the Southwest Pacific Company to the State.

The first installment fell due June, 1874, and was not paid. On March 20, 1875, the House of Representatives adopted the following resolution.

Resolved, That the Attorney-General be and he is hereby requested to furnish to this House a statement of what power, if any, he may have, or any other State officer, of enforcing the payment of the amount due and to become due by the Southwest Pacific Railroad Company to the State, under the provisions of section 17 of an act entitled an act to dispose of the Southwest Pacific Railroad, and other property belonging thereto, and to secure the early completion of said road, approved March 17, 1868.

In compliance with the resolution, the Attorney-General, on the 23d day of March, 1875, submitted a communication, the following extracts from which form his legal conclusions of the matter:

As the first installment of this debt fell due on the first day of June last, the proper mode for its collection would be by suit upon the bond in behalf of the State, and so likewise of each of the remaining installments as they mature. There is this difficulty, however, in a proceeding upon the bond. The Southwest Pacific corporation having been merged in the Atlantic and Pacific Company, and the existence of the former having ceased, no action could now be maintained against it for this debt.

The Atlantic and Pacific Company cannot be proceeded against upon the bond, because it is not a party to its execution. The suit upon the bond then can only be against the securities, and the liability of the Atlantic and Pacific is created under the provisions of the act of March, 1870, authorizing the consolidation of the two companies, and subjecting the existing corporation to the payment of the liabilities of the original company.

The face of the bond shows that the personal securities, McKean and Jouett, are residents of the State of New York, and as I know of no facts that would give the courts sitting in this State, either State or Federal jurisdiction over them under a separate suit upon the bond as non-residents, such proceeding would therefore have to be instituted in the courts of that State. * * * *

In addition to a suit upon the bond against the securities, I will add that the State can, in my judgment, likewise maintain an action against the Atlantic and Pacific Company in the courts of this State, for the recovery of this debt, under the provisions of the act by which the two companies were consolidated.

(Signed)

JNO. A. HOCKADAY,

Attorney General.

During the month of July, 1876, Governor Hardin wrote to Donnell, Lawson & Co., bankers of New York City, inquiring as to the solvency of McKean and Jouett, the two sureties on the bond.

They replied to Governor Hardin, under date July 26, 1876, and in their answer appears the following:

" * * * Wm. B. McKean is a resident of this city and has desk room in the law office of S. L. M. Barlow. He is known as a public accountant * * and without means."

In a letter dated August 7th, 1876, they say:

" * * * We are advised that S. M. Jouett is a book-keeper at the Merchants' Exchange National Bank, 257 Broadway;

has no property. * * * He was formerly in the employ
of Wm. B. McKean." * * * * * * *

On the 4th day of September, 1876, the Attorney General instituted a suit against the Atlantic and Pacific Railroad Company in the Circuit Court of Cole county in this State, which suit was afterwards dismissed, no valid service of the petition and writ of summons having been had on the defendants.

On the — day of — 1877, the Senate adopted the following resolution:

“WHEREAS, By an act of the General Assembly, approved March 17, 1868, the Southwest Pacific Railroad, with all its appurtenances, was sold to the persons named in said act, upon the condition, among others named in said act, that the said parties pay to the State of Missouri, the sum of three hundred thousand dollars, in installments of one hundred thousand dollars each, on the fourth day of June, 1874, 1875 and 1876; which said sum was required to be secured by the bond of said parties, who purchased the same with approved security.

“AND WHEREAS, Said sum of money is now due and wholly unpaid; therefore be it

“*Resolved*, By the Senate, that the Attorney General of the State be requested to inform the Senate what action, if any, has been taken to enforce the payment of said sums; whether the same is now collectable by law; whether the bond and security as required by said act have been given, and what action, if any, is necessary to realize to the State the said purchase money of said railroad.”

On the 7th day of February, 1877, the Attorney General, in compliance with that resolution, submitted a statement, the conclusions in which are as follows:

“I do not find that there was any condition in said bond, either expressed or implied, that is broad enough to make the said trustees liable to the State for the failure of said company to pay to the State the amount of said bond required by section eighteen.

“The grant contained in said act was practically to the said Railroad Company, and its corresponding obligations were directly to the State, and, it would seem, if the company has not discharged these obligations to the State, that the trustees can not be held liable thereon, further than is provided for in the bond required by said section eighteen.

“I am unable to discover any statutory provision, or any principle of equity jurisprudence that created a lien in favor of the State, on either the South Pacific Railroad, or the Atlantic and Pacific Rail-

road for the amount of said bond mentioned in section 17, act of March 17, 1868.

"That the South Pacific Railroad Company, in pursuance of second section of the act approved March 24, 1870, sold and conveyed its said railroad franchises and other property to the Atlantic and Pacific Railroad Company.

"That under the provisions of said consolidation act, and an act authorizing the South Pacific Railroad Company to merge in and consolidate with the Atlantic and Pacific Railroad Company, approved March 15, 1871, the said Atlantic and Pacific Railroad Company made itself subject to the liabilities and obligations of the South Pacific Railroad Company, which of course included the said bond, or writing obligatory mentioned in section seventeen.

"A somewhat critical examination of said bond, or writing obligatory, in connection with the said act authorizing the same has led me to the conclusion that in form, the same was sufficient.

"My opinion as to the solvency of the sureties in said bond, or writing obligatory, is based entirely upon hearsay and is unfavorable. I think that an action prosecuted against said sureties would be unavailing.

"The South Pacific Railroad Company, many years since, transferred and sold its franchises, real estate and other property, to the Atlantic and Pacific Railroad Company, and that in the year 1876, the Circuit Court of the United States for the Eastern District of Missouri, ordered the said Atlantic and Pacific Railroad Company into the hands of receivers, and that subsequently, under a decree in one or more cases pending in that court, said Atlantic and Pacific Railroad Company, with its franchises and other property, were sold and transferred to the St. Louis and San Francisco Railway Company, and that the said Atlantic and Pacific Railroad Company does not now own any assets that I have been able to learn.

"I am unable to indicate any action that would realize to the State the said purchase money due the State on said bond.

(Signed) "J. L. SMITH, Attorney General."

This comprises all the information that can be furnished by your committee in accordance with the requirements of the resolution.

The committee did not consider that portion of the resolution requesting information as to "what legislation, if any, was necessary on said matters," believing that it more properly belonged to the Committee on Judiciary, and therefore recommend the reference of that portion of the resolution to said committee; which was read, and, on motion, 250 copies ordered printed for information.

Mr. Collins, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution memorializing Congress of the United States, asking for appropriations for the improvement of the western rivers, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution memorializing Congress of the United States, asking for appropriations for the improvement of the western rivers ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley, Windes and Wisby—111.

ABSENT—Messrs. Berryman, Bowman, Brady, Campbell of St. Louis city, Cowan of Christian, Dale, Davis, Dryden, Harrigan, Mackey, Maynard, McDaniel, Souder, Smith of Cedar, Swank, Taylor, Tevis, Withers, Younger and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

The title of the resolution was read and agreed to.

Mr. Cook moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table ; which was agreed to.

Substitute for House bill No. 299, entitled An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes,

entitled of the destruction of wolves, being same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Booth, Boulware, Brady, Brown, Campbell of Atchison, Cloud, Collins, Cook, Cowan of Christian, Cox, Craig, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Gwynne, Hayes, Hammons, Haynes, Harrington, Harrison, Hubbard, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tiernan, Wells, Whitaker, Wiley and Withers—77.

NOES—Messrs. Arnold, Bowman, Brewer, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Cooper, Cowan of Holt, Creager, Dawson, Dodson, Drum, Finks, Freed, Greer, Hall, Hale, Ham, Harrigan, Hynes, Helm, Johnson, Knight, Mabrey, Mahn, Morrison, O'Malley, Palmer, Powers, Price, Reynolds, Saunders, Swank, Turner, Waggener, Windes, Wisby and Younger—43.

ABSENT—Messrs. Berry, Berryman, Campbell of St. Louis city, Cock, Davis, Dryden, McDaniel, Pollock, Souder, Taylor, Tevis and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Booth, Boulware, Brady, Brown, Campbell of Atchison, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Craig, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Gwynne, Hayes, Hammons, Haynes, Harrison, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Rawlings, Saunders, Settles, Smith

of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Wells, Whitaker and Wiley—71.

NOES—Messrs. Arnold, Bowman, Bryan, Burford, Carleton, Carroll, Chenoweth, Chitwood, Coleman, Cooper, Cowan of Holt, Cox, Creager, Dawson, Dodson, Drum, Finks, Freed, Greer, Hall, Hale, Ham, Harrington, Hubbard, Hynes, Helm, Johnson, Kendall, Knight, Mabrey, Mackey, Mahn, Morrison, O'Malley, Palmer, Powell, Powers, Price, Reynolds, Swank, Waggener, Windes, Withers and Younger—44.

ABSENT—Messrs. Bashaw, Berryman, Brewer, Campbell of St. Louis city, Davis, Dryden, Harrigan, Miles, McDaniel, Riley, Souder, Taylor, Tiernan, Turner, Wisby and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

House bill No. 365, entitled An act fixing the compensation of experts testifying in courts of record; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Bashaw, Boulware, Bowman, Brady, Brown, Bryan, Carroll, Cooper, Cowan of Holt, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gwynne, Hall, Ham, Hammons, Harrington, Hubbard, Johnson, Maynard, McCormick of St. Louis city, O'Malley, Pepper, Pollard, Settles, Swank, Tiernan, Wells, Wiley and Younger—34.

NOES—Adams, Alldridge, Anderson, Andrews, Arnold, Beckner, Booth, Brewer, Burford, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Creager, Crowther, Dade, Dale, Diercks, Dodson, Drum, Foster, Greer, Hayes, Hale, Haynes, Harrigan, Harrison, Hynes, Helm, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Waggener, Whitaker, Windes and Wisby—78.

ABSENT—Messrs. Berry, Berryman, Campbell of St. Louis city, Chenoweth, Craig, Davis, Dawson, Dryden, Gray, Lackland, Mudd of St. Louis, McDaniel, Pollock, Powell, Rawlings, Souder, Taylor, Tevis, Withers and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

Mr. Cloud moved to reconsider the vote by which the bill failed to pass.

Mr. Pehle moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 373, entitled An act to encourage farmers' stock sales; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Booth, Bowman, Brown, Brady, Bryan, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powers, Price, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby and Younger—101.

NOES—Messrs. Brewer, Burford, Crowther, Dawson, Haynes, Maynard, McElvain, Pehle and Swank—9.

ABSENT—Messrs. Berryman, Boulware, Campbell of St. Louis city, Carleton, Cowan of Christian, Craig, Davis, Dryden, Gray, Kendall, Kneisley, McCormick of St. Louis city, McDaniel, Powell, Rawlings, Settles, Souder, Taylor, Tevis, Withers and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Larimore moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Mott introduced bill No. 519, entitled An act to amend section 2 of chapter 142 of the General Statutes, by adding form for writ of attachment under garnishment; which was read the first time and laid over.

Mr. Cowan of Holt introduced bill No. 520, entitled An act relating to the description of land; which was read the first time and laid over.

Mr. Dawson introduced a bill entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, approved April 27, 1877, by reducing the maximum number of days each person is liable to work on public roads from six to three days; which was read the first time and laid over.

Mr. McGarry introduced bill No. 522, entitled An act to amend section 11 of chapter 160 of the General Statutes of Missouri, entitled of executions; which was read the first time and laid over.

Mr. Mott introduced bill No. 523, entitled An act to amend sections 10 and 16 of article 3 of chapter 76 of Wagner's Statutes of the State of Missouri, repealing the same and substituting new sections therefor, entitled insurance, other than life; which was read the first time and laid over.

Mr. Bryan introduced bill No. 524, entitled An act in relation to fees of justices of the peace; which was read the first time and laid over.

House bill No. 383, entitled An act to provide for the punishment of public officers and employes for drunkenness; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Cox, Creager, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Wisby and Younger—103.

NOES—Mr. McIntyre—1.

ABSENT—Messrs. Berryman, Boulware, Campbell of Atchison, Campbell of St. Louis city, Collins, Cowan of Holt, Craig, Davis, Dryden, Gwynne, Hayes, Haynes, Johnson, Kendall, Lackland, McCormick of St. Louis city, McDaniel, Patterson of Schuyler, Pollock, Powell, Rawlings, Settles, Souder, Taylor, Tiernan, Withers and Mr. Speaker—29.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Bonham, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Chenoweth moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Harrigan, the House took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Mr. Wiley in the chair.

House bill No. 159, entitled An act to prevent the sale of deadly weapons to minors; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berryman, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hall, Hale, Ham, Hammons, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Pepper, Phelan, Pollard, Powers, Price, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Wells, Whitaker, Wiley, Withers and Younger—104.

NOES—Messrs. Booth, Crowther, Pehle and Windes—4.

ABSENT—Messrs. Anderson, Berry, Brady, Campbell of St. Louis city, Chenoweth, Dawson, Dryden, Hayes, Haynes, Harrigan, Hynes, Lackland, Lynn, McDaniel, McIntyre, O'Malley, Patterson of Schuyler, Pollock, Powell, Reynolds, Souder, Tevis, Waggener, Wisby and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—10.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 166, entitled An act to amend chapter 38 of the General Statutes of the State of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bonham, Booth, Boulware, Bowman, Bryan, Burford, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Whitaker, Wiley, Windes and Withers—86.

NOES—Messrs. Bashaw, Berryman, Brewer, Brown, Carleton, Cooper, Davis, Drum, Foster, Hall, Harrington, Lockhart, Manistre, Mott, Mudd of St. Louis, McElvain, Settles, Smith of Cedar, Taylor, Turner, Wells and Younger—23.

ABSENT—Messrs. Beckner, Brady, Campbell of St. Louis city, Cock, Cox, Dawson, Dilley, Dryden, Harrigan, Hynes, Lackland, Maynard, Miles, McDaniel, McIntyre, McKill, O'Malley, Pollock, Souder, Tevis, Waggener, Wisby and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt.—10.

SICK—Mr. Berry—1.

The title of the bill was read and agreed to.

Mr. Spring moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which was agreed to.

The special order being the consideration of Senate bill No. 172, entitled An act to appropriate money for the State government for the years 1879 and 1880; was taken up.

The following amendment to section 5, recommended by the Committee on Ways and Means:

Amend section 5 of printed bill, line 15, by inserting after the words, "dollars," and figures in brackets the words, "for salary of

the judge of the western court of common pleas, one hundred and forty-seven dollars ;" was read and agreed to.

The following amendment to section 6, recommended by the Committee on Ways and Means :

Amend section 6, line 5, printed bill, by striking out the words, "seventy thousand dollars, (\$70,000,)" and insert the words, "sixty thousand dollars, (\$60,000,)" Provided, that the sum of six thousand dollars of the said amount be set apart and used for purchasing furniture, cooking range and repairing the buildings, washing machinery, new pump, repainting the building, building the fence around the farm, and extension of the barn ; was read and agreed to.

The following amendment to section 12, recommended by the Committee on Ways and Means :

Add to section 12, printed bill, the following : "for repairs of State armory building one hundred and fifty dollars, (\$150.00,)" was read and agreed to.

The following amendment, recommended by the Committee on Ways and Means :

Add the following new section : Section 22. This act shall take effect and be in force from and after its passage ; was read and agreed to.

The following amendment to section 5, adopted in the Committee of the Whole : Amend section 5, second sub-division, by striking out the words and figures "for salary of circuit attorney of St. Louis city seven hundred dollars (\$700.00,)" was read and not agreed to.

The following amendment to section 5, adopted in the Committee of the Whole : Amend 5th clause of section 5 by striking out "for salaries of clerks in the office of the Register of Lands \$5,000.00;" was read.

Mr. Bonham offered the following substitute for the amendment :

Amend section 5 by striking out the words "five thousand dollars" and insert in lieu thereof the words "three thousand dollars," in the thirty-second and thirty-third lines of said section ; which was read and agreed to.

The following amendment to section 5, adopted in the Committee of the Whole : Amend section 5, ninth sub-division, by adding thereto the following words : "Provided, that in every case the warrant for such salary and pay shall be drawn in favor of the person performing the services ;" was read and agreed to.

The following amendment to section 6, adopted in the Committee of the Whole : Amend section 6, first sub-division, by striking out the word "employees," was read and agreed to.

The following amendment to section 6, adopted in the Committee

of the Whole: Amend section 6, first sub-division, by striking out the words and figures "fifteen thousand eight hundred dollars (\$15,800)," and insert in lieu thereof the words and figures "twelve thousand, five hundred dollars (\$12,500);" was read and not agreed to.

The following amendment to section 6, first sub-division, adopted in the Committee of the Whole: Amend first sub-division of section 6, by adding another clause to read as follows: "For the support of Lunatic Asylum No. 2 thirty thousand dollars, and for the salaries of the superintendent and officers of Lunatic Asylum No. 2 ten thousand five hundred dollars;" was read and agreed to.

The following amendment to section 6, second sub-division, adopted in the Committee of the Whole: Amend second sub-division of section 6, by striking out of the ninth line, "seventy-one thousand dollars" and inserting "fifty-five thousand dollars;" was read.

The ayes and noes being demanded, the amendment was agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cowan of Christian, Creager, Dade, Dale, Dawson, Diercks, Dodson, Drum, Ewing, Gray, Greer, Hale, Ham, Haynes, Harrison, Hubbard, Helm, Johnson, Kendall, Knight, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, McCormick of Washington, McElvain, McKinney, Organ, Patterson of Schuyler, Pehle, Pollard, Powell, Rawlings, Settles, Spring, Swank, Talbot, Tevis, Turner, Wells, Whitaker, Windes, Withers and Younger—67.

NOES—Messrs. Adams, Bowman, Brady, Carleton, Carroll, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crowther, Davis, Dilley, Dougherty, Ellis, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Hynes, Kneisley, Lackland, Larimore, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKill, O'Malley, Palmer, Phelan, Powers, Price, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Tiernan, Waggener, Wiley and Wisby—53.

ABSENT—Messrs. Anderson, Berry, Campbell of Atchison, Campbell of St. Louis city, Dryden, Moler, McDaniel, Pepper, Pollock, Reynolds, Souder and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren, and Weygandt—11.

The following amendment to section 6, second subdivision, line 10, adopted in the Committee of the Whole :

Amend by striking out the words, "twenty thousand," and insert in lieu thereof the words, "sixteen thousand;" which was read and agreed to.

The following amendment to line 12, adopted in the Committee of the Whole :

Amend by substituting for "\$26,750," the words and figures "\$30,000, thirty thousand"; was read and agreed to.

The following amendment to section 6, article 4, adopted in the Committee of the Whole :

Strike out after the word Kirksville, in 15th line of section 6, article 4, the words, "fifteen thousand dollars," and insert instead thereof the words "ten thousand dollars"; was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berryman, Boulware, Brewer, Brown, Burford, Cook, Cowan of Christian, Dade, Dale, Diercks, Dodson, Ewing, Greer, Hale, Ham, Haynes, Harrison, Louthan, Miles, Morrison, McCormick of Washington, McElvain, McKill, McKinney, Swank, Wells, Whitaker, Windes—32.

NOES—Messrs. Arnold, Bashaw, Bopham, Booth, Bowman, Brady, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cooper, Cowan of Holt, Cox, Craig, Crowther, Davis, Dawson, Dilley, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Hubbard, Hynes, Helm, John-son, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Wiley, Withers, Waggener, Younger and Mr. Speaker—86.

ABSENT—Messrs. Anderson, Campbell of St. Louis city, Chitwood, Creager, Dryden, McDaniel, Pollock, Powell, Saunders, Souder, Tierman, Turner and Wisby—13.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

The following amendment to section 10, first subdivision, adopted in the Committee of the Whole :

Amend first subdivision of section 10 as follows: For the penal department there is hereby appropriated out of the Treasury for support and maintenance of the State Penitentiary, sixty thousand dollars; for repairs and improvement in the State Penitentiary, forty thousand dollars; provided, that in the judgment of the Inspectors and Warden such expenditure is necessary; was read and agreed to.

The following amendment to second subdivision of section ten, adopted in the Committee of the Whole:

Amend by striking out "one hundred and fifty thousand dollars," and inserting "two hundred thousand dollars;" was read and agreed to.

The following amendment to the third and fourth subdivisions of section 10, adopted in the Committee of the Whole:

Amend by substituting in lieu thereof the following: "For the apprehension of criminals and the suppression of outlawry, fifteen thousand dollars;" was read and agreed to.

Mr. Wells offered the following amendment:

Amend section 18 by adding the following clause: "For the payment of the revenue bonds falling due in 1879, two hundred and fifty thousand dollars (\$250,000);" which was read.

The ayes and noes being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Bonham, Boulware, Burford, Chitwood, Cook, Cowan of Christian, Creager, Crowther, Dade, Dale, Dodson, Dougherty, Ewing, Gray, Greer, Harrison, Hynes, Johnson, Knight, Larimore, Miles, McCormick of Washington, McElvain, McKinney, O'Malley, Organ, Pepper, Powell, Reynolds, Swank, Wells, Whitaker and Withers—37.

NOES—Messrs. Arnold, Bashaw, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cock, Coleman, Collins, Cooper, Cowan of Holt, Cox, Craig, Davis, Dawson, Diercks, Dilley, Drum, Ellis, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKill, Palmer, Pehle, Phelan, Powers, Price, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Waggener, Wiley, Windes and Mr. Speaker—76.

ABSENT—Messrs. Anderson, Berryman, Brown, Campbell of St. Louis city, Cloud, Dryden, Hall, McDaniel, Patterson of Schuyler, Pollock, Pollard, Saunders, Souder, Smith of Cedar, Taylor, Tiernan, Wisby and Younger—18.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

Leave of absence was granted Mr. Lynn for seven days.

Mr. Belch offered the following amendment:

Amend section 6, in lines 17 and 18, by striking out "ten thousand" and inserting "fifteen thousand dollars; provided, that five thousand thereof shall be applied to the payment of the indebtedness of said Lincoln Institute;" which was read.

The ayes and noes being demanded, the amendment was agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Beckner, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cock, Collins, Cooper, Cowan of Holt, Craig, Crowther, Davis, Diercks, Dilley, Ellis, Foster, Gray, Gwynne, Hall, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, O'Malley, Palmer, Pehle, Pepper, Phelan, Pollard, Price, Riley, Reynolds, Smith of St. Louis city, Taylor, Waggener, Wells, Whitaker, Wiley, Withers and Mr. Speaker—73.

NOES—Messrs. Adams, Boulware, Brown, Burford, Chitwood, Coleman, Cook, Cowan of Christian, Cox, Creager, Dade, Dale, Dawson, Dodson, Dougherty, Drum, Ewing, Freed, Greer, Hayes, Hale, Ham, Mabrey, Mackey, Miles, McKill, McKinney, Organ, Powell, Powers, Rawlings, Settles, Spring, Talbot, Tevis, Turner and Windes—37.

ABSENT—Messrs. Anderson, Bashaw, Berry, Berryman, Campbell of St. Louis city, Cloud, Dryden, Farr, Finks, Helm, Louthan, McCormick of Washington, McDaniel, Patterson of Schuyler, Pollock, Saunders, Souder, Smith of Cedar, Swank, Tiernan, Wisby and Younger—22.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

Mr. Settles offered the following amendment:

Amend section 16 as follows: For printing the reports of the State Board of Agriculture, and the reports of the State Horticultural Society for the year 1878, one thousand dollars (\$1,000); for printing

the reports and other incidental expenses of said boards, for the years 1879 and 1880, twenty-five hundred dollars (\$2,500); which was read and agreed to.

Mr. Foster offered the following amendment:

Amend section 12 by striking out line 4, and insert the following in lieu thereof: "For repairs of executive mansion, repairs of furniture, curtains and paintings and carpeting and furniture for the mansion, one thousand dollars;" which was read.

The ayes and nose being demanded, the amendment was not agreed to by the following vote:

AYES—Messrs. Brady, Brown, Carleton, Carroll, Cowan of Holt, Cox, Craig, Crowther, Davis, Dawson, Dilley, Foster, Gwynne, Hall, Mahn, Manistre, Maynard, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, Phelan, Price, Settles, Smith of St. Louis city, Spring, Talbot and Taylor—28.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Bonham, Booth, Boulware, Bowman, Brewer, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Creager, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Gray, Greer, Haynes, Hale, Ham, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Powell, Powers, Rawlings, Riley, Reynolds, Swank, Tevis, Turner, Waggener, Wells, Whitaker, Wiley, Windes and Withers—77.

ABSENT—Messrs. Anderson, Arnold, Berryman, Bryan, Burford, Campbell of St. Louis city, Cloud, Dryden, Finks, Hammons, Haynes, Harrigan, Helm, Lackland, Miles, McDaniel, Patterson of Schuyler, Pollock, Pollard, Saunders, Souder, Smith of Cedar, Tiernan, Wisby, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

SICK—Mr. Berry—1.

Mr. Cox offered the following amendment:

Amend section 12 by inserting after the second sub-division the following: "For improving and keeping in repair the State cemetery at Jefferson City, one hundred dollars (\$100), to be expended under the direction of the Governor; which was read and agreed to.

On motion of Mr. Davis, the previous question was ordered.

The bill as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Pehle, Phelan, Pollard, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of St. Louis city, Taylor, Tevis, Waggener, Wiley, and Mr. Speaker—91.

NOES—Messrs. Alldridge, Berry, Brown, Dade, Dale, Ewing, Gray, Knight, Louthan, McKinney, Pepper, Powell, Spring, Swank, Talbot, Turner, Wells and Whitaker—18.

ABSENT—Messrs. Anderson, Beckner, Berryman, Burford, Campbell of St. Louis city, Cloud, Cowan of Christian, Dryden, Haynes, Harrington, Helm, Miles, McDaniel, Patterson of Schuyler, Pollock, Saunders, Souder, Smith of Cedar, Tiernan, Windes, Wisby, Withers and Younger—23.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Crow, Ingram, Lynn, Patterson of Linn, Ragan, Vancleve, Warren and Weygandt—11.

The title of the bill was read and agreed to.

Mr. Davis, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Creager for six days.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in House amendments to Senate bill No. 143, and has also adopted the emergency clause thereto, entitled An act for the better protection of the county revenue funds of the State;

And also, that there has been introduced into and passed the Senate, bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer, etc;

Also, Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes, entitled offenses against public morals and decency or the public police, and miscellaneous offenses, and to substitute a new section therefor;

Also, substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens;

Also, substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property; in which the concurrence of the House is respectfully requested; which was read.

On motion of Mr. Farr, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-THIRD DAY—FRIDAY, MARCH 14, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Mr. Burford rose to a question of privilege, and stated that had he been present on yesterday, when Senate bill No. 172 passed, he would have voted against its passage.

Mr. Miles rose to a question of privilege, and stated that had he been present on yesterday, when Senate bill No. 172 passed, he would have voted against its passage.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report having carefully examined House bill No. 305, entitled An act to provide for the transferring unexpended balances in county treasuries, and that they find the same truly and correctly enrolled; which was read.

House bill No. 305, entitled An act for the transferring of unexpended balances in county treasuries; was taken up, read at length

by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Ragan offered the following resolution :

Resolved, That the words, "in the campaign of 1876, the Burnes crowd of St. Joseph, had one candidate, who was Gates, and the Martin crowd of Kansas City another, who was Noland, the present Chief Clerk in the Treasurers office, and one of the most singular features of all these complicated transactions, is the fact that notwithstanding the bitter personal fight between these two men for the office, Noland should be retained in the office as Gates' head man," in the report of Special Committee to investigate the management and present condition of the State Treasury, be stricken out and expunged from the journal and records of the proceedings of this House ; which was read and passed over informally.

Mr. Larimore presented a petition from citizens of Callaway county praying the Legislature to submit to a vote of the people, an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State ; which was read, and on motion, referred to Committee on Constitutional Amendments.

Leave of absence was granted Mr. Cowan of Holt for eight days.

Leave of absence was granted Mr. Spring for four days.

Leave of absence was granted Mr. Dawson for ten days.

Leave of absence was granted Mr. Harrington for five days.

Leave of absence was granted Mr. Berryman for five days, from to-morrow.

Leave of absence was granted Mr. Foster for four days, from to-morrow.

Leave of absence was granted Mr. Riley for five days, from to-morrow.

The resolution offered by Mr. Ragan ; was then taken up.

The question being on the adoption of the resolution.

The ayes and noes were demanded, and the resolution was not adopted by the following vote :

AYES—Messrs. Bashaw, Berryman, Booth, Brady, Brewer, Bryan, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cox, Craig, Crowther, Davis, Dougherty, Drum, Ellis, Farr, Finks, Greer, Gwynne, Hayes, Hammons, Hubbard, Hynes, Helm, Kneisley, Lesueur, Mabrey, Mahn, Moler, McDaniel, McKill, Organ, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Tevis, Turner, Wells Younger and Mr. Speaker—53.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Bonham, Boulware, Bowman, Brown, Burford, Chenoweth, Cloud,

Cooper, Cowan of Christian, Crow, Dade, Dale, Diercks, Dodson, Ewing, Foster, Gray, Haynes, Harrigan, Harrison, Johnson, Kendall, Knight, Larimore, Lockhart, Louthan, Mackey, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McElvain, McGarry, McKinney, Palmer, Patterson of Schuyler, Pehle, Powell, Rawlings, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tiernan, Whitaker, Wiley and Withers—53.

ABSENT—Messrs. Arnold, Berry, Campbell of Atchison, Campbell of St. Louis city, Dilley, Freed, Hall, Hale, Ham, Lackland, Maynard, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, O'Malley, Souder, Swank, Waggener, Windes and Wisby—20.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Harrington, Ingram, Lynn, McIntyre, Patterson of Linn, Settles, Spring, Vancleve, Warren and Weygandt—17.

Mr. Craig introduced a Joint and concurrent resolution, instructing the Attorney-General to institute proceedings by quo warranto against the Burlington and Southwestern Railway Company; which was read the first time and laid over.

Mr. Pepper introduced bill No. 525, entitled An act to regulate the salary of circuit attorney of the eighth judicial circuit in the State of Missouri; which was read the first time and laid over.

Mr. Brady introduced bill No. 526, entitled An act to regulate the sale of tickets, the rate of fare to be charged and the taxes and license to be paid by street railroad companies in the State, and to repeal an act to regulate the sale of tickets, the rate of fare to be charged and the taxes and license to be paid by street railroad companies in the city of St. Louis, approved March 3, 1869; which was read the first and laid over.

Mr. Larimore introduced bill No. 527, entitled An act to repeal section 5 of an act approved April 9, 1877, establishing a uniform system of probate courts; which was read the first time and laid over.

Mr. Mabrey introduced bill No. 528, entitled An act to amend section 16 of an act entitled an act establishing probate courts, approved April 9, 1877; which was read the first time and laid over.

Senate bill No. 143, entitled An act for the better protection of the county revenue funds of the State; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and refused to order to a third reading, House bill No. 6, entitled An act to consolidate the

offices of county collector and county treasurer, and to fix the compensation therefor.

Also, House bill No. 234, entitled An act to repeal section 11 of an act entitled an act to amend sections 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145 and 173 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, and to add five new sections thereto, to be known and numbered as sections 249, 250, 251, 252 and 253, approved April 28, 1877, the same being amendatory of section 135 of chapter 118 of Wagner's Missouri Statutes; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto new sections numbered 42, 43, 44, 45 and 46, in which the concurrence of the House is respectfully requested.

Also that the Senate has taken up and passed, House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretences, confidence games, and using and passing false and bogus checks, instruments, coins and metals; which was read.

The special order being the consideration of the following resolution, offered by the special committee to investigate the affairs of the State Treasury:

Resolved, That Elijah Gates, Treasurer of the State of Missouri, be, and he is hereby, impeached for high crimes and misdemeanors in office, and that to this end the House elect five managers, whose duty it shall be, by and with the assistance of the Attorney-General of the State of Missouri, to draw up and present articles of impeachment against said Elijah Gates, and present them to this House for its acceptance.

M. T. Taylor, Chairman; F. P. Wiley, P. H. Tiernan, Wm. L. Brown and F. W. Mott.

And the following substitute, offered by Mr. Wiley:

Resolved, That the Speaker appoint a committee of five members of this House, to prepare articles of impeachment against Elijah Gates, State Treasurer, and report the same to this House for further action; were taken up.

Pending the consideration of which,

On motion of Mr. Wells, the House took a recess until 2½ o'clock
P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

The House resumed consideration of the resolution and substitute therefor, pending at the hour of recess.

The question being upon agreeing to the substitute, the ayes and noes were demanded, and the substitute was agreed to by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Bonham, Booth, Bowman, Brady, Brewer, Brown, Burford, Chenoweth, Cloud, Cooper, Cowan of Christian, Craig, Crow, Crowther, Dade, Diercks, Dilley, Drum, Gray, Greer, Haynes, Harrigan, Harrison, Hynes, Johnson, Kendall, Knight, Larimore, Lockhart, Mackey, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, Palmer, Pehle, Pepper, Phelan, Powell, Rawlings, Reynolds, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tiernan, Weygandt, Whitaker, Wiley, Windes, Withers and Younger—63.

NOES—Messrs. Arnold, Bashaw, Berryman, Boulware, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cock, Collins, Cook, Cox, Dale, Davis, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Gwynne, Hayes, Hall, Hale, Hammons, Hubbard, Helm, Kneisley, Lesueur, Mabrey, Mahn, Moler, Mudd of Lincoln, McDaniel, McIntyre, McKill, O'Malley, Organ, Patterson of Schuyler, Powers, Price, Ragan, Riley, Saunders, Swank, Tevis, Turner, Waggener, Wells, Wisby and Mr. Speaker—53.

ABSENT—Messrs. Campbell of St. Louis city, Coleman, Freed, Ham, Lackland, Louthan, Maynard, Pollock, Pollard and Souder—10.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrington, Ingram, Lynn, Patterson of Linn, Settles, Spring, Vancleve and Warren—16.

SICK—Mr. Berry—1.

Mr. Pepper moved that the House adjourn until Monday morning.

The ayes and noes being demanded, the motion did not prevail by the following vote :

AYES—Messrs. Brady, Haynes, Hubbard, Hynes, Kendall, Manistre, Mott, O'Malley, Smith of St. Louis city and Younger—10.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrison, Helm, Kneisley, Knight, Larimore, Lesueur, Lockhart, Mabrey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Turner, Waggener, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—96.

ABSENT—Messrs. Berry, Bowman, Campbell of St. Louis city, Chilton, Coleman, Dryden, Freed, Ham, Johnson, Lackland, Louthan, Mackey, Maynard, McKinney, Pepper, Pollock, Pollard, Ragan, Souder, Taylor, Tevis and Tiernan—22.

ABSENT WITH LEAVE—Messrs. Ballew, Bohannon, Burrows, Cowan of Holt, Creager, Dawson, Foster, Harrington, Ingram, Lynn, Patterson of Linn, Settles, Spring, Vancleve and Warren—16.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-FOURTH DAY—SATURDAY, March 15, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Leave of absence was granted Mr. Pollard for seven days.

Leave of absence was granted Mr. Louthan for five days.

Leave of absence was granted Mr. Manistre for four days.

Leave of absence was granted Mr. Harrigan for five days.

Leave of absence was granted Mr. Maynard for four days.

Leave of absence was granted Mr. Mott for five days.

Leave of absence was granted Mr. Larimore for four days.

Leave of absence was granted Mr. Mudd of St. Louis for four days.

Leave of absence was granted Mr. Pepper for ten days.

Leave of absence was granted Mr. Dilley for four days.

Leave of absence was granted Mr. Smith for four days.

Mr. Ham was reported sick.

Mr. Pehle offered the following resolution :

WHEREAS, Tennessee Mathews, Jr., Official Reporter of the House, is, and for some time has been, under the influence of intoxicating liquors, and thereby rendered himself incompetent to fill said position with honor and respect; be it

Resolved, That said office be declared vacant from and after the passage of this resolution; which was read.

Mr. Wells moved that the resolution be referred to a special committee of three, whose duty it shall be to investigate and report to this House on Tuesday morning next; which was agreed to.

The Speaker appointed the following as said committee:

Messrs. Pehle, Smith of St. Louis city and Ewing.

Mr. McCormick of St. Louis city, offered the following resolution :

The attention of the House being called to the fact that one Thurston, a reporter of the Kansas City Times, has attempted to blacken the character and reputation of a member of this Assembly, and to practice blackmail upon said member by threatening to publish a certain scandal of and concerning the said member, unless he would pay him (Thurston,) the sum of fifty dollars; be it.

Resolved, By the 30th General Assembly, that said Thurston be expelled from the Hall, and hereafter barred from the privileges of the floor, and that the Sergeant-at-Arms be required and is hereby instructed to execute this order; which was read.

Mr. Moler moved that the resolution be referred to a special committee of five, whose duty it shall be to investigate and report to this House on Tuesday morning next; which was agreed to.

The Speaker appointed as said committee the following:

Messrs. Dale, Knight, Patterson of Schuyler, Chenoweth and Miles.

Mr. Adams moved to reconsider the vote by which the resolution referring to Edward Noland, Chief Clerk in the Treasurer's office, failed to pass on yesterday, and to have his motion to reconsider entered on the journal.

The following resolution; introduced by Mr. Foster:

Resolved, That the rules of the House be amended as follows: The Chairman of the Committee on Revision be permitted to report from that committee at any time during the sitting of the House, and

that all reports from that committee shall be recognized by the Speaker as privileged questions; was called up, read and adopted.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15 of the General Statutes, concerning the State Library, and repealing all acts and parts of acts inconsistent with this act, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15 of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; was taken up, with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—Amend by striking out the word “chapter,” wherever it appears in this bill, except in the title thereof, and insert in lieu of said word “chapter,” when stricken out, the word “act;” which was read and agreed to.

Amendment No. 2—Amend section 10 by adding at the end of the first line, and between the word “lights” and the word “fuel,” in said section, the word “postage;” which was read and agreed to.

The bill, as amended, was laid over for third reading.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 385, entitled An act to amend section 42, chapter 160 of General Statutes of State of Missouri of 1865, of executions, beg leave to report that they have considered the same and recommend that it do pass, with the amendments herewith submitted; which was read.

House bill No. 385, entitled An act to amend section 42 of chapter 160 of the General Statutes of the State of Missouri, entitled of executions; was taken up, with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend by striking out the words “or papers” in the 18th and 19th lines of section one of the original bill, and also by striking out the words “or publishers of such paper or papers” in the 20th and 21st lines of said section one; which was read and agreed to.

Amendment No. 2—Amend by inserting after the word “advertisement,” in line 22 of section one, the words “after tender of the legal fees therefor;” which was read and agreed to.

The bill as amended was ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of error in civil cases, and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172 of title 34 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 35 of article 13 of chapter 110 of Wagner's Statutes of Missouri, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of error in civil cases and concerning practice in the Supreme Court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 35 of article 13 of chapter 110 of Wagner's Statutes of Missouri; was taken up, and, on motion, ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of Missouri, being section 42, chapter 11 of Wagner's Statutes, and to further amend said chapter by adding a new section thereto, to be section No. 85, beg leave to report that they have considered the same and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of Missouri, (being section 42, chapter 11 of Wagner's Statutes) and to further amend said chapter by adding a new section thereto, to be numbered section 85; was taken up, with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 256, entitled An act in relation

to the consolidation of the offices of circuit clerk and recorder of deeds; beg leave to state that they have considered the same, and report the same without recommendation, with accompanying amendment; which was read.

House bill No. 256, entitled An act in relation to the consolidation of the offices of circuit clerk and recorder of deeds; was taken up, with the following amendment recommended by the Committee on Retrenchment and Reform:

Amend section 1 by striking out the word "fall," and inserting in lieu thereof the following words, "go into effect;" which was read and agreed to.

Mr. McIntyre, offered the following amendment:

Amend by striking out "30,000" in second line of first section, and insert in lieu thereof "15,000;" which was read and not agreed to.

The question being, shall the bill be engrossed and printed,

The House refused to order the bill to engrossment and printing.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred House bill No. 335, entitled An act classifying property for the purpose of taxation, beg leave to report that they have considered the same, and offer a substitute without recommendation; which was read.

House bill No. 335, entitled An act for classifying property for the purposes of taxation; was taken up, with substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 320, entitled An act to pay Geo. W. Gordon for property lost while being used by the State, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 320, entitled An act to pay Geo. W. Gordon for property lost while being used by the State; was taken up.

On motion of Mr. Wells, the bill was laid on the table.

Senate bill No. 130, entitled An act to amend section 42 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up,

read at length by the clerk, and signed by the Speaker, without objections.

Senate joint and concurrent resolution No. 7, entitled Joint and concurrent resolution memorializing Congress of the United States, asking for appropriations for the improvement of western rivers; was taken up, read at length by the clerk, and signed by the Speaker, without objections:

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred Substitute for Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877, beg leave to report that they have considered the same and recommend that it do pass, with the accompanying amendments; which was read.

Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was taken up, with the following amendments, recommended by the Committee on Education:

Amendment No. 1—Amend line 3 of section 1 by striking out the word "two," and inserting the word, "three;" which was read and agreed to.

Amendment No. 2—Amend lines 2, 3, 4, 5 and 6 of section 2 by making them read as follows: "The qualified voters of such city, town or village, school districts, shall vote by ballot upon all questions provided by law for submission at the annual school meetings, and such election shall be held on the same day, beginning at 7 o'clock A. M. The board of directors shall elect three judges of election, and said judges shall appoint two clerks;" which was read and agreed to.

Amendment No. 3—Amend line 9 of section 2, by inserting after the word "who," the words, "shall record the same, and;" which was read and agreed to.

Amendment No. 4—Amend line 13, section 2, by making it read as follows: "The necessary poll books shall be made out and furnished by the secretary of the school board, and in elections for organizing new districts, such poll books shall be furnished by the county clerk;" which was read and agreed to.

Amendment No. 5—Amend section 3 by striking out all after the word "follows," in the 1st line, and substituting the following:

"Section 4. The qualified voters of the district shall, at the annual meeting, to be held in April, 1879, elect three directors, two of

whom shall be elected for three years, and one for two years, and at the annual meeting in 1880, one director shall be elected for one year, and two for three years, and at every succeeding annual meeting such voters shall choose two directors, who shall hold their office for three years, and until their successors are duly elected or appointed, and qualified ;" which was read and agreed to.

Amendment No. 6—Amend the bill by inserting a new section to be called section 4, as follows :

Section 4. Whenever there shall be in this State any territory not organized into a school district, any three resident tax payers of such territory, may call a meeting of the qualified voters of such part thereof as they desire to organize into a school district, by first giving fifteen days notice of the time, place and object of the meeting, by written or printed hand-bills, posted in five public places in the territory proposed to be organized. The qualified voters when assembled, shall organize such territory into a school district by the approval of a plat, defining the boundaries thereof, and by the election of directors : Provided, that when the district to be so formed is composed of a city, town or village, and the qualified voters thereof desire to avail themselves of the special privileges granted by law to cities, towns and villages, then such qualified voters shall elect six directors, two of whom shall be elected for one year, two for two years, and two for three years ; which was read and agreed to.

Amendment No. 7—Amend the bill by renumbering the sections to correspond with these amendments ; which was read and agreed to.

Amendment No. 8—Amend the title of the bill by adding the words, "and to add a new section thereto ;" which was read and agreed to.

The bill as amended, was laid over for the third reading.

Mr. O'Malley, from the Committee on Immigration, submitted the following report :

MR. SPEAKER : Your Committee on Immigration, to whom was referred House bill No. 424, entitled An act to establish a Board of Immigration, and to prescribe the powers and duties thereof, and to repeal chapter sixty-one (61) of the General Statutes of Missouri, and all acts amendatory thereto, beg leave to report that they have considered the same and report it back without recommendation, with the accompanying amendment ; which was read.

House bill No 424, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes, and all acts amendatory thereto ; was taken up with the following amendment recommended by the Committee on Immigration :

Amend section 10 by adding thereto the following: "And said Board of Immigration is hereby authorized to call upon the clerks of the county courts or other county officers of the several counties of this State, for such statistical, historical or other information as said board may deem desirable; and it shall be the duty of such clerks or other county officials, to furnish such information upon such terms as may be agreed upon;" which was read and agreed to.

The bill as amended was ordered engrossed and printed.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE.
CITY OF JEFFERSON, March 15, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I return to the House with my approval endorsed thereon, bills of the following titles:

An act in relation to the State Treasury.

An act to provide for the transferring of unexpended balances in county treasuries.

Very respectfully,
JOHN S. PHELPS.

Which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House concurrent resolution No. 32, memorializing Congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from the State courts to the circuit courts of the United States, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 15, submitting to the qualified voters of the State of Missouri, an amendment to the constitution of said State, regulating the jurisdiction of the St. Louis court of appeals, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Cox offered the following resolution, amending the rules of the House:

Resolved, That the rules of the House be amended, by adding a new rule, to read as follows, to-wit: "No member shall be granted

leave of absence at any time, unless there shall be as many as one hundred and ten members answering to roll call, besides the member so asking leave, except on account of sickness or death in his family;" which was read and laid over under the rules.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate, in which the concurrence of the House is respectfully requested; which was read.

House bill No 519, entitled An act to amend section 2 of chapter 142, of the General Statutes of Missouri, the same being section 2 of chapter 65, of Wagner's Statutes; was called up, read the second time and on motion, referred to Committee on Judiciary.

House bill No. 520, entitled An act relating to the description of land; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

House bill No 521, entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27th, 1877, by reducing the maximum number of days each person is liable to work on public roads, from six days to three days; was called up, read the second time, and on motion, referred to Committee on Roads and Highways.

House bill No. 522, entitled An act to amend section 11 of chapter 160, of the General Statutes of Missouri, entitled of executions; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

House bill No. 523, entitled An act to amend sections 10 and 16 of article 3, chapter 76 of Wagner's Statutes of the State of Missouri, repealing the same, and substituting new sections therefor, entitled insurance other than life; was called up, read the second time, and on motion, referred to the Committee on Insurance.

House bill No. 524, entitled An act in relation to fees of justices of the peace; was called up, read the second time, and on motion, referred to Committee on Justices of the Peace.

House Bill No. 525, entitled An act to regulate the salary of the circuit attorney of the eighth judicial circuit, in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 526, entitled An act to regulate the sale of tickets, the rate of fare to be charged and the taxes and licenses to be paid by street railroad companies in the State, and to repeal an act to regulate the sale of tickets, the rate of fare to be charged and the taxes and license to be paid by street railroad companies in the city of St. Louis, approved March 3, 1869; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 527, entitled An act to repeal section 5 of an act approved April 9, 1877, establishing a uniform system of probate courts; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

House bill No. 528, entitled An act to amend section 16 of an act establishing probate courts, approved April 9, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 43, entitled Joint and concurrent resolution instructing the Attorney-General to institute proceedings by quo warranto against the Burlington and Southwestern Railway Company; was called up, read the second time, and, on motion referred to the Committee on Judiciary.

Mr. Organ called up the motion to reconsider the vote by which the House refused to order to engrossment and printing House bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals.

The ayes and noes being demanded, the motion to reconsider prevailed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Bonham, Boulware, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Coleman, Cowan of Christian, Cox, Crow, Crowther, Dade, Dale, Davis, Diercks, Dodson, Dougherty, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Haynes, Hynes, Knight, Lockhart, Mabrey, Mackey, Miles, Morrison, Mudd of Lincoln, McElvain, O'Malley, Organ, Palmer, Patterson of Schuyler, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Swank, Waggener, Wells, Whitaker, Windes and Withers—58.

NOES—Messrs. Alldridge, Bashaw, Booth, Brady, Brewer, Brown, Bryan, Cloud, Cock, Collins, Cook, Cooper, Craig, Farr, Finks, Hale, Harrison, Helm, Kneisley, Lesueur, Mahn, Moler, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, Pehle, Saunders, Smith of Cedar, Talbot, Tevis, Tiernan and Weygandt—34.

ABSENT—Messrs. Beckner, Berry, Carroll, Drum, Hubbard, Johnson, Kendall, Lackland, McKill, McKinney, Phelan, Pollock, Pollard, Souder, Taylor, Turner, Wiley, Wisby, Younger and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Ingram, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, Patterson of Linn, Pepper, Riley, Settles, Smith of St. Louis city, Spring, Vancleve and Warren—29.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The bill was then ordered engrossed and printed.

Leave of absence was granted Mr. Bowman for seven days.

Leave of absence was granted Mr. Wells for seven days.

On motion of Mr. Farr, the House adjourned until Monday morning at 9 o'clock.

FIFTY-FIFTH DAY—MONDAY, March 17, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Knight, the further reading was dispensed with.

Leave of absence was granted Mr. Phelan for three days.

Leave of absence was granted Mr. Windes for four days.

Mr. Bonham presented a petition from citizens of Andrew county, praying the Legislature to submit to a vote of the people a constitutional amendment entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Bonham presented a petition from the citizens of Rolla, Phelps county, protesting against the repeal of their city charter; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. McKinney presented a petition from citizens of McDonald county, Gentry county and Putnam county, praying the Legislature to

submit to a vote of the people a constitutional amendment, forever prohibiting the manufacture and sale of intoxicating drinks within this State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Chenoweth presented a petition from citizens of McDonald county, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Powell presented a petition from citizens of Macon county, praying the Legislature to re-enact the township organization law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Arnold presented a petition from citizens of Scott county, praying the Legislature to submit to a vote of the people an amendment to the Constitution, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Arnold presented a petition from citizens of Putnam county, praying the General Assembly to submit to a vote of the people, at the next general election, an amendment to the Constitution in relation to the sale of intoxicating liquors; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Gwynne presented a petition from citizens of Jackson county Mo., protesting against the passage of the bill compelling foreign insurance companies now doing business in this State, to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. McIntyre presented a petition from citizens of Audrain county, Mo., protesting against the passage of the bill compelling foreign insurance companies now doing business in the State to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Wisby presented a petition from citizens of Webster county, Mo., protesting against the passage of the bill compelling foreign insurance companies now doing business in this State to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

The following resolution, amending the rules of the House, was taken up :

Resolved, That the rules of the House be amended by adding a new rule, to read as follows, to-wit: No member shall be granted a leave of absence at any time unless there shall be as many as one hundred and ten members answering to roll call, besides the members so asking leave, except on account of sickness or death in his family; which was read and adopted.

Mr. Ewing introduced bill No. 529, entitled An act to amend an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, etc., approved April 12, 1877; which was read the first time and laid over.

Mr. Hynes introduced bill No. 530, entitled An act concerning the approval of official and other bonds made payable to the State of Missouri; which was read the first time and laid over.

Mr. Mahn introduced bill No. 531, entitled An act concerning frauds at primary elections; which was read the first time and laid over.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 415, entitled An act to amend section 5 of chapter 100 of the General Statutes of Missouri, concerning weights and measures, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 415, entitled An act to amend section 5 of chapter 100 of the General Statutes, concerning weights and measures; was taken up with the substitute recommended by the Committee on Agriculture.

The substitute was read and agreed to.

Mr. Powers offered the following amendment:

Amend by striking out "corn meal fifty pounds," and insert "corn meal forty-nine pounds;" which was read and not agreed to.

On motion, the bill was referred to the Joint Committee on Revision.

Mr. Organ, from the Committee on Printing, submitted the following report:

MR. SPEAKER: Your Committee on Printing, to whom was referred House resolution to print bills in pamphlet form, have ascertained that the difference in cost of printing in present bill form and pamphlet form will not be very material on bills of more than eight pages of manuscript, but on bills of eight pages, or less, of manu-

script, the cost will be in favor of the present bill form. Your committee, therefore, beg leave to report the accompanying substitute with the recommendation that the substitute do pass; which was read.

The following substitute recommended by the Committee on Printing:

Resolved, That hereafter all bills, consisting of more than eight pages of manuscript, shall be printed in pamphlet form, unless otherwise ordered; was read and adopted.

Mr. Bashaw, from the Committee on Criminal Jurisprudence submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties and to repeal all laws inconsistent herewith, beg leave to report that they have considered the same and report the same back to the House with the accompanying amendments, one and two, without recommendation; which was read.

House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith; was taken up, with the following amendments recommended by the Committee on Criminal Jurisprudence:

Amendment No. 1—Amend section 1 so as to read as follows:

“It is hereby made the duty of the Governor to appoint, in all cities and towns of this State, which may petition therefor, through the officers of their city or town government, some competent chemist, as an inspector of whisky, wines, and other alcoholic liquors, by whatever name known, which may be manufactured or offered for sale within this State, either by wholesale or retail, and for this purpose the inspector shall provide himself with the necessary chemicals and apparatus for testing the properties of all such liquors. He shall hold his office for two years and until his successor is appointed and qualified; which was read and agreed to.

Amendment No. 2—Amend section 2, second page, by inserting after the words “condemned for impurity,” the following: “and shall immediately, and on the spot seize the same, and turn it over to the sheriff of the county in which said manufacturer’s place of business may be situated, to be by said sheriff kept, until by him disposed of under due process of law;” which was read and agreed to.

Mr. Moler offered the following amendment:

Amend section three by striking out the word "one dollar" and insert "thirty cents;" also strike out the word "fifty cents" and insert "fifteen cents;" which was read and agreed to.

The bill as amended was ordered engrossed and printed.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred substitute for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife, and rights of married women, beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife and rights of married women; was taken up, with the following amendment recommended by the Committee on Criminal Jurisprudence:

Amend section 15 as follows: Strike out all of said section after the word "exemptions" in the next to the last and the last line of the engrossed bill, and insert in lieu thereof the following: "Shall apply only to so much of said insurance as an annual premium of three hundred dollars will purchase according to the terms of the policy or policies; the balance of said insurance, if any, to be paid to representatives of her husband;" which was read and agreed to.

On motion, the bill as amended was referred to the Joint Committee on Revision.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments, coins and metals, and find the same truly and correctly enrolled; which was read.

House bill No. 279, entitled An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretenses, confidence games, and using and passing false and bogus checks, instruments, coins and metals; was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 422, entitled An act to amend section 8, chapter 114 of the General Statutes, entitled of divorce, alimony and custody of children, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 422, entitled An act to amend section 8, chapter 114 of the General Statutes, entitled of divorce, alimony, etc.; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 466, entitled An act commuting the time of imprisonment of persons confined in the county and city jail under sentence therein, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 466, entitled An act commuting the time of imprisonment of persons confined in the county and city jails under sentence therein; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 475, entitled An act to amend section 13 of article 5 of Wagner's Statutes, entitled settlement of the accounts of executors and administrators, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Judiciary; which was read.

House bill No. 475, entitled An act to amend section 13 of article 5 of Wagner's Statutes, entitled settlement of the accounts of executors and administrators; was taken up, and, on motion, referred to the Committee on Judiciary.

Mr. Hall,^a from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bills Nos. 27, 101, 145 and 339, entitled, respectively, An act to amend section 1 of an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; also An act to amend sections 1, 2, 3 and 4 of an act entitled an act to amend all acts to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877,

and also an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, having had the same under consideration, beg leave to report the same back to the House with the accompanying substitute without recommendation; which was read.

Substitute for House bills Nos. 27, 101, 145 and 339, entitled An act to amend an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, by adding two new sections thereto, to be known and numbered as sections Nos. 5 and 6; was taken up, and, on motion, the substitute was made the special order for Friday, March 21, and ordered printed for information.

Senate substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was called up and read the first time.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was called up and read the first time.

Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer and unlawful detainer; was called up and read the first time.

Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants; was called up and read the first time.

Senate bill No. 81, entitled An act to revise and amend that portion of title 42 of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels; was called up and read the first time.

Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes of Missouri, entitled offenses against public morals and decency, or the public police and miscellaneous offenses, and to substitute a new section therefor; was called up and read the first time.

Senate bill No. 180, entitled An act to amend an act entitled of husband and wife, and the rights of married women, being chapter

115 of the General Statutes of Missouri of 1865; was called up and read the first time.

Senate bill No. 182, entitled An act to amend section 2 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was called up and read the first time.

Senate bill No. 193, entitled An act to supply certain courts of record, not provided for by law, with the reports of the supreme court decisions; was called up and read the first time.

Senate bill No. 234, entitled An act to regulate the building of barbed wire fence; was called up and read the first time.

Senate bill No. 240, entitled An act to amend section 14 of chapter 53 of the General Statutes of Missouri, in relation to bridges, the same being section 14 of chapter 23 of Wagner's Missouri Statutes; was called up and read the first time.

Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto new sections numbered 42, 43, 44, 45 and 46; was called up and read the first time.

Senate bill No. 219, entitled An act providing for the enlargement of burial grounds, and providing the manner for the appropriation and valuation of lands taken therefor; was called up and read the first time.

Substitute for House bill No. 297, entitled An act to amend section 44 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Morrison, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Powell, Powers, Ragan, Reynolds, Smith of Cedar, Talbot, Tiernan, Turner, Waggener, Weygandt, Whitaker, Wiley, Withers and Younger—85.

ABSENT—Messrs. Arnold, Brady, Campbell of Atchison, Chilton, Davis, Farr, Gray, Gwynne, Helm, Knight, Lackland, Moler, Mudd of Lincoln, McDaniel, Pollock, Price, Rawlings, Saunders, Souder, Smith of St. Louis city, Swank, Taylor, Tevis, Vancleve, Wisby and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Spring, Warren, Wells and Windes—30.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Talbot, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Younger—96.

ABSENT—Messrs. Boulware, Bowman, Chilton, Davis, Dryden, Farr, Gray, Lackland, McDaniel, Souder, Swank, Taylor, Tevis, Tiernan, Wisby and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—28.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Hynes moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State, was taken up with the following Senate amendments:

Amendment No. 1—Amend section 1 by inserting the words “and of,” after the word “court” in the third line; which was read and concurred in by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Brady, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Finks, Freed, Gray, Greer, Gwynne, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Ingram, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Smith of St. Louis city, Talbot, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—89.

NOES—Messrs. Johnson and Kendall—2.

ABSENT—Messrs. Boulware, Brewer, Chilton, Dade, Davis, Ewing, Farr, Hayes, Helm, Lackland, McDaniel, Saunders, Souder, Smith of Cedar, Swank, Taylor, Tevis, Tiernan, Turner and Wisby—20.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Mudd of St. Louis, Maynard, Mott, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Spring, Warren, Wells and Windes—30.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

Amendment No. 2—Amend said section by inserting the words “President of the Senate or,” before the word “Speaker” in the seventh line; which was read and concurred in by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Talbot, Tur-

ner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—91.

NOES—Messrs. Dade, Dale, Hall and Kendall—4.

ABSENT—Messrs. Bohannon, Bowman, Carleton, Chilton, Cowan of Christian, Davis, Farr, Lackland, McDaniel, Saunders, Souder, Swank, Taylor, Tevis, Tiernan, Wisby and Younger—17.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—29.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

Amendment No. 3—Amend by adding the following:

And it shall be the duty of the presiding officer of either Senate or House to whom such report may be made, to lay the same before their respective houses for action therein; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Talbot, Tiernan, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—97.

ABSENT—Messrs. Brady, Chilton, Davis, Farr, Lackland, Saunders, Souder, Swank, Taylor, Tevis, Wisby and Younger—12.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

Senate bill No. 104, entitled An act to authorize counties to hold elections for the purpose of incurring indebtedness above the amount

of the income and revenue for any one year, and to provide for the issuing and sale of bonds to cover the indebtedness so created; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was taken up, and, on motion, ordered engrossed and printed.

House bill No. 169, entitled An act concerning the duties of sheriff and constable in the State of Missouri; was taken up, and, on motion, ordered engrossed and printed.

Substitute for House bills Nos. 209, 218 and 236, entitled An act for the organization of counties and municipal townships, and to provide for the municipal government thereof; was taken up, and, on motion, ordered engrossed and printed.

House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts; was taken up, and, on motion, made special order for Tuesday, March 25.

Substitute for House concurrent resolution No. 32, entitled Concurrent resolution memorializing Congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from the State courts to the Circuit Courts of the United States; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Rawlings, Saunders, Swank, Talbot, Tiernan, Turner, Vancleve, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—91.

NOES—Messrs. Bonham, Cooper, Lockhart, Morrison and Smith of Cedar—5.

ABSENT—Messrs. Burford, Chilton, Davis, Farr, Kendall, Ragan, Reynolds, Souder, Taylor, Tevis, Waggener and Wisby—12.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Fos-

ter, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.
The title of the resolution was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House concurrent resolution No. 11, entitled A petition to Congress for the reduction of salaries; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Tiernan, Turner, Vancleve, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—99.

ABSENT—Messrs. Burford, Chilton, Davis, Farr, Souder, Taylor, Tevis, Waggener and Wisby—9.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.
The title of the resolution was read and agreed to.

Mr. Cook moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland was reported sick.

Substitute for House concurrent resolution No. 27, entitled Joint and concurrent resolution, providing for the pay of the clerical force,

and other necessary expenses of the Joint Committee on Revision, appointed under House joint and concurrent resolution No. 14; was taken up.

On motion of Mr. McIntyre, the resolution was indefinitely postponed.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan Rawlings, Reynolds, Smith of Cedar, Swank, Talbot, Tiernan, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Younger and Mr. Speaker—97.

ABSENT—Messrs. Burford, Chilton, Davis, Ewing, Farr, Saunders, Souder, Taylor, Tevis, Wisby and Withers—11.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.
The title of the bill was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 44, entitled An act to promote the science of medicine and surgery; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hall, Hale, Hammons, Harrison, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Mackey, Mahn, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Rawlings, Reynolds, Talbot, Tiernan, Wiley, Withers and Younger—76.

NOES—Messrs. Cooper, Dade, Diercks, Hubbard, Hynes, Ingram, Knight, Mabrey, Miles, Morrison, Ragan, Smith of Cedar, Swank, Turner, Weygandt, Whitaker and Mr. Speaker—17.

ABSENT—Messrs. Burford, Chilton, Davis, Farr, Hayes, Haynes, Helm, Moler, Saunders, Souder, Taylor, Tevis, Vancleve, Waggener and Wisby—15.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

Senate substitute for Senate bill No. 55, entitled An act to revise and amend title 10 of the General Statutes of Missouri, relating to public records, and supplying records and papers lost or destroyed; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar,

Swank, Talbot, Tiernan, Waggener, Weygandt, Wiley, Withers, Younger and Mr. Speaker—90.

NOES—Messrs. Dade and Ingram—2.

ABSENT—Messrs. Burford, Chilton, Davis, Farr, Finks, Hayes, Hynes, Helm, Miles, Souder, Taylor, Tevis, Turner, Vancleve, Whitaker and Wisby—16.

ABSENT WITH LEAVE--Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.
The title of the bill was read and agreed to.

Mr. Mahn moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 116, entitled An act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877; was taken up, and, on motion, ordered printed.

Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was taken up.

Mr. Anderson offered the following amendment:

Amend bill as follows, to-wit: Strike out the word "thirty" wherever it occurs in the bill, and insert in lieu thereof the word "five;" also, amend by striking out the words "or which may be organized as a city of the second class," wherever they occur in the bill; which was read and agreed to.

The bill, as amended, was read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cox, Crow, Crowther, Dade, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings,

Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Tiernan, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—90.

NOES—Messrs. Arnold, Brady, Cooper, Cowan of Christian, Craig, Dale and Hubbard—7.

ABSENT—Messrs. Burford, Chilton, Collins, Davis, Farr, Hall, Souder, Taylor, Tevis, Wisby and Younger—11.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Tiernan, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—96.

NOES—Mr. Craig—1.

ABSENT—Messrs. Berry, Burford, Chilton, Davis, Farr, O'Malley, Souder, Taylor, Tevis, Wisby and Younger—11.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mott, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—32.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bryan offered the following resolution:

Resolved, That the use of the Hall of the House of Representatives be granted to the temperance organizations of Jefferson City, on Wednesday and Thursday evenings next, for the purpose of hearing addresses upon the subject of temperance by Francis Murphy and other distinguished gentlemen; which was read and adopted.

On motion of Mr. Cox, the House took a recess until 2:30 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired the House was called to order. Speaker Belch in the chair.

Senate bill No. 42, entitled An act to amend section 53 of chapter 165 of the General Statutes of Missouri, being also section 53 of article 5 of chapter 110 of Wagner's Missouri Statutes; was taken up, read the third time and failed to pass by the following vote:

AYES—Messrs. Chenoweth, Collins, Dale, Diercks, Finks, Greer, Hammons, Helm, Lesueur, Mabrey, Mahn, Mudd of Lincoln, McElvain, McKinney and O'Malley—15.

NOES—Messrs. Adams, Alldridge, Arnold, Bashaw, Beckner, Berry, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Cook, Cowan of Christian, Cox, Craig, Crow, Dade, Dodson, Dougherty, Drum, Ellis, Ewing, Gwynne, Hayes, Hale, Haynes, Harrison, Hubbard, Hynes, Ingram, Kneisley, Knight, Lockhart, Miles, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, Organ, Palmer, Pehle, Powell, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Swank, Talbot, Turner, Weygandt, Whitaker, Withers and Mr. Speaker—63.

ABSENT—Messrs. Anderson, Andrews, Bonham, Brady, Burford, Cock, Cooper, Crowther, Davis, Farr, Freed, Gray, Hall, Johnson, Kendall, Mackey, Moler, McIntyre, Patterson of Schuyler, Pollock, Powers, Saunders, Souder, Taylor, Tevis, Tiernan, Vancleve, Waggener, Wiley, Wisby and Younger—31.

ABSENT WITH LEAVE—Messrs. Ballew, Berryman, Bohannon, Bonham, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—31.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

Mr. Booth moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15, of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kniesley, Knight, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Talbot, Turner, Vancleve, Weygandt, Withers and Mr. Speaker—82.

NOES—Mr. Dade—1.

ABSENT—Messrs. Bonham, Brady, Burford, Dale, Davis, Farr, Freed, Gray, Hall, Hubbard, Mott, Patterson of Schuyler, Pollock, Souder, Smith of Cedar, Swank, Taylor, Tevis, Tiernan, Waggener, Whitaker, Wiley, Wisby and Younger—24.

ABSENT WITH LEAVE—Messrs. Anderson, Ballew, Berryman, Bohannon, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dilley, Dryden, Foster, Harrigan, Harrington, Larimore, Louthan, Lynn, Manistre, Maynard, Mudd of St. Louis, McDaniel, McIntyre, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Smith of St. Louis city, Spring, Warren, Wells and Windes—33.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

Pending the consideration of the emergency clause, on motion of Mr. Pollock, the House adjourned until to-morrow morning, at 9 o'clock.

FIFTY-SIXTH DAY—TUESDAY, March 18, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

The House resumed consideration of Senate bill No. 84, which was pending at the hour of adjournment, on yesterday.

The question being upon the adoption of the emergency clause,

It was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Powell, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Waggener, Weygandt, Whitaker, Withers, Younger and Mr. Speaker—101.

ABSENT—Messrs. Booth, Brady, Dale, Hall, Kendall, Kneisley, Patterson of Schuyler, Pollock, Powers, Souder, Swank, Tevis, Tiernan, Vancleve, Wiley and Wisby—16.

ABSENT WITH LEAVE—Messrs. Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—23.

SICK—Messrs. Campbell of St. Louis city, Ham and Lackland—3.

The title of the bill was read and agreed to.

Mr. Cox moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Adams presented a petition from citizens of Kansas City, in relation to the legal rates of interest; which was read, and on motion, referred to the Committee on Judiciary.

Mr. McGarry presented a petition from citizens of St. Louis, praying the Legislature to pass a law making it unlawful for any county, township, city or town in this State, either directly or indirectly, to license or place under sanction of law, gambling or gaming houses, bawdy houses, or houses of ill-fame or assignation, under any pretense whatever; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Cowan of Christian introduced bill No. 532, entitled An act to authorize the refunding of the State debt at a lower rate of interest; which was read the first time and laid over.

Mr. Carleton introduced bill No. 533, entitled An act to provide for the transferring the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court; which was read the first time and laid over.

Mr. Carleton introduced bill No. 534, entitled An act authorizing county courts to correct land entries, patents and records; which was read the first time and laid over.

Mr. Pehle introduced bill No. 535, entitled An act to amend section 5, chapter 76, Wagner's Missouri Statutes, the same being section 5 of an act entitled an act to create an insurance department, approved March 4, 1869; which was read the first time and laid over.

Mr. Lackland introduced bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments; which was read the first time and laid over.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 301, entitled An act relating to the duties of county assessors, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 301, entitled An act to amend section 3 of an act, approved March 28, 1877, concerning the assessment and collection of taxes; was taken up with the substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bills Nos. 419 and 407, entitled, respectively, An act to prevent swine from running at large; and, An act to prevent swine from running at large in those counties which by a majority of votes may decide to agree thereto, beg leave to report the accompanying substitute without recommendation; which was read.

House bills Nos. 407 and 419, entitled An act to prevent swine from running at large in counties of this State where a majority of the legal voters voting at any election to restrain the same from running at large in such county; were taken up with the substitute recommended by the Committee on Agriculture.

The substitute was agreed to, and ordered engrossed and printed.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880, and concurred in amendments Nos. 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16 and 17, and has refused to concur in amendments Nos. 7, 9 and 10, and respectfully request that the House will recede therefrom; which was read.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 410, entitled An act to repeal an act entitled an act to create an insurance department, approved March 4, 1869, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 410, entitled An act to repeal an act entitled an act to create an insurance department, approved March 4, 1869; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Dale, from the special committee appointed to investigate the charges preferred against the reporter of the Kansas City Times, submitted the following report:

MR. SPEAKER: Your special committee to whom was referred the resolution offered by Mr. McCormick of St. Louis city, which resolution recommended the expulsion from the hall of the House, the reporter of the Kansas City Times, beg leave to report that they have had the same under consideration, and have heard such evidence as they could obtain, and would respectfully report the same back to the

House, and recommend that it do not pass; which was read and adopted.

Senate bill No. 172, entitled An act to appropriate money for the support of the State government for the years 1879 and 1880; was taken up, with the following House amendments, in which the Senate refused to concur:

Amendment No. 7—Amend section No. 6, first subdivision, by striking out the word “employees.”

On motion of Mr. Davis, the House receded from the amendment.

Amendment No. 9—Amend second subdivision of section 6 by striking out of the ninth line, “71,000 dollars,” and inserting “55,000 dollars.”

On motion of Mr. Davis, the House receded from the amendment.

Amendment No. 10—Amend section 6, second subdivision, line 10, by striking out the words, “twenty thousand dollars,” and insert in lieu thereof the words, “sixteen thousand dollars.”

Mr. Davis moved that the House recede from the amendment.

The ayes and noes being demanded, the House receded from the amendment by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Brady, Brewer, Bryan, Carleton, Cock, Collins, Cooper, Cox, Craig, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Mahn, Maynard, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Pollock, Powers, Price, Ragan, Rawlings, Saunders, Smith of St. Louis city, Taylor, Tiernan, Vancleve, Weygandt, Wiley and Mr. Speaker—67.

NOES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Bohannon, Bonham, Booth, Boulware, Brown, Burford, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cowan of Christian, Crow, Dade, Dale, Gray, Harrison, Ingram, Johnson, Knight, Lockhart, Mabrey, Mackey, Morrison, McCormick of Washington, McKinney, Patterson of Schuyler, Pehle, Powell, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Turner, Waggener, Whitaker, Withers and Younger—46.

ABSENT—Messrs. Carroll, Miles, Souder, Tevis and Wisby—5.

ABSENT WITH LEAVE—Messrs. Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—23.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

House bill No. 529, entitled An act to amend an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, etc., approved April 12, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 530, entitled An act concerning the approval of official and other bonds made payable to the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 531, entitled An act concerning frauds at primary elections; was called up, read the second time, and, on motion, referred to the Committee on Elections.

Senate substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer, and unlawful detainer; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 3 for Senate bill No. 81, entitled An act to revise and amend that portion of title 42, of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes of Missouri, entitled offenses against public morals and decency, or the public police, and miscellaneous offenses, and to substitute a new section therefor; was called up, read

the second time, and on, motion, referred to the Committee on Criminal Jurisprudence.

Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto new sections numbered 42, 43, 44, 45 and 46; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 180, entitled An act to amend an act entitled of husband and wife, and the rights of married women, being chapter 115 of the General Statutes of Missouri of 1865; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 182, entitled An act to amend section 2 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

Senate bill No. 193, entitled An act to supply certain courts of record, not provided for by law, with the reports of Supreme Court decisions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 219, entitled An act providing for the enlargement of burial grounds, and providing the manner for the appropriation and valuation of lands taken therefor; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 234, entitled An act to regulate the building of barbed wire fence; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

Senate bill No. 240, entitled An act to amend section 14 of chapter 53 of the General Statutes of Missouri, in relation to bridges, the same being section 14 of chapter 23 of Wagner's Missouri Statutes; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

The Speaker appointed, under resolution adopted Friday, March 14, 1879, the following special committee to prepare articles of impeachment against Elijah Gates, State Treasurer:

Messrs. Wiley, Taylor, Dryden, Farr and Louthan.

Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections, to be known and numbered sections 27, 28, 29,

30, 31, 32, 33, 34, 35 and 36; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Hubbard, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Weygandt, Wiley, Younger and Mr. Speaker—86.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Coleman, Dade, Ewing, Hale, Harrison, Hynes, Ingram, Johnson, Miles, McKinney, Pehle, Swank and Withers—17.

ABSENT—Messrs. Burford, Carroll, Chenoweth, Chitwood, Dale, Davis, Finks, Freed, Haynes, Souder, Tevis, Whitaker and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—25.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate joint and concurrent resolution No. 3, entitled Joint and concurrent resolution declaring the present session of the Legislature the revising session, as provided in article 4, section 41 of the Constitution of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate joint and concurrent resolution No. 3, entitled Joint and concurrent resolution declaring the present session of the Legislature the revising session, as provided in article 4, section 41 of the

Constitution of the State of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Laramore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—105.

NOES—Mr. Younger—1.

ABSENT—Messrs. Burford, Carroll, Chitwood, Dale, Davis, Haynes, Kendall, Moler, Souder, Tevis, Tiernan and Wisby—12.

ABSENT WITH LEAVE—Messrs. Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—23.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the resolution was read and agreed to.

Mr. Collins moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 441, entitled An act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 423, entitled An act to provide for the appointment of inspectors of elections in certain cases, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 225, entitled An act for the relief John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 203, entitled An act for the relief of Philip Zeal, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 474, entitled An act to authorize the sale of property, real and personal, escheated to the State, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 474, entitled An act to authorize the sale of property, real and personal, escheated to the State; was taken up, and, on motion of Mr. McIntyre, was rejected.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 336, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 336, entitled An act to amend section 53 of chapter 165 of the General Statutes of the State of Missouri; was called up, and, on motion, referred to the Joint Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 12, entitled An act regulating the interest of money, beg leave to report that they have considered the same and ask to report it back without recommendation; which was read.

Senate bill No. 12, entitled An act regulating the interest of money; was taken up.

Mr. Bryan offered a substitute for the bill.

Mr. Bryan moved that the substitute be printed for information.

The ayes and noes being demanded, the motion to print did not prevail by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bohannon, Brady, Brewer, Bryan, Carleton, Chenoweth, Chilton, Cock, Coleman, Collins, Craig, Crow, Davis, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Hall, Hubbard, Johnson, Lackland, Mahn, Maynard, Moler, Mudd of Lincoln, McCormick of St. Louis city, McGarry, McKill, Saunders, Smith of St. Louis city, Swank and Weygandt—37.

NOES—Messrs. Alldridge, Bashaw, Beckner, Bonham, Booth, Boulware, Brown, Campbell of Atchison, Cloud, Cook, Cooper, Cox, Crowther, Dade, Dale, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hynes, Helm, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Miles, Morrison, Mott, McCormick of Washington, McElvain, McIntyre, McKinney, O'Malley, Organ, Palmer, Pehle, Pollock, Powell, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Taylor, Tiernan, Turner, Waggener, Whitaker, Wiley, Withers and Younger—64.

ABSENT—Messrs. Andrews, Berry, Burford, Carroll, Chitwood, Cowan of Christian, Drum, Haynes, Kendall, Patterson of Schuyler, Powers, Souder, Tevis, Vancleve, Wisby and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—24.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The substitute was read and not agreed to.

The Senate bill was ordered printed for information.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House concurrent resolution No. 5, entitled Joint and concurrent resolution

in relation to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6, 1872; which was read.

Senate bill No. 226, entitled An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Crow, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Turner, Waggener, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—106.

ABSENT—Messrs. Andrews, Burford, Carroll, Cooper, Crowther, Haynes, Souder, Taylor, Tevis, Vancleve and Wisby—11.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—24.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of

Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—109.

ABSENT—Messrs. Andrews, Burford, Carroll, Haynes, Souder, Tevis, Vancleve and Wisby—8.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—24.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Arnold moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Vancleve, Waggener, Whitaker, Wiley, Withers, Younger and Mr. Speaker—100.

NOES—Messrs. Dade, Turner and Weygandt—3.

ABSENT—Messrs. Andrews, Burford, Carroll, Chilton, Dale, Ewing, Haynes, Lackland, Maynard, Souder, Swank, Tevis, Tiernan and Wisby—14.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson

of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—24.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 1 for Senate bill No. 56, entitled An act to revise and amend chapter 114 of General Statutes of Missouri, concerning divorce, alimony and custody of children; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Price, Reynolds, Saunders, Smith of St. Louis city, Spring, Talbot, Vancleve, Waggener, Weygandt, Wiley, Withers, Younger and Mr. Speaker—86.

NOES—Messrs. Brady, Dade, Hynes, Ingram, Johnson, Lockhart, McKill, Pollard, Powers, Ragan, Smith of Cedar, Swank, Taylor, Tiernan, Turner and Whitaker—16.

ABSENT—Messrs. Alldridge, Andrews, Beckner, Burford, Carroll, Chilton, Chitwood, Cowan of Christian, Dale, Haynes, Miles, McCormick of St. Louis city, Rawlings, Souder, Tevis and Wisby—16.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—23.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife and rights of married women, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife and rights of women; was taken up with the following amendments, recommended by the Joint Committee on Revision:

Amendment No. 1—Strike out the word “chapter” wherever it appears in said bill, and insert the word “act” in lieu thereof; which was read and agreed to.

Amendment No. 2—Strike out the whole of section 8, and insert in lieu thereof, the following:

Section 8. The wife of any man who is under guardianship, may join with the guardian in making partition of her own real estate held in joint tenancy, or in common, and may jointly, with the guardian, make any release, or other conveyance necessary and proper for that purpose; and she may sell and convey her own real estate by joining with the guardian in such sale and conveyance, to be under the order and supervision of the proper court, and deeds executed jointly by herself and such guardian, shall have the same force and effect as if done with her husband, if he had been under no disability, and in all cases where the real estate of such husband shall be sold by his guardian in due conformity to law, she may relinquish her right of dower in such real estate as fully as if her husband joined in the deed or release; which was read and agreed to.

Amendment No. 3—Amend section 12 as follows: In line 5 of engrossed bill, after the word “court,” insert the words “or St. Louis Court of Appeals;” which was read and agreed to.

Amendment No. 4—Strike out the whole of section 13 of the bill; which was read and agreed to.

Amendment No. 5—Amend section 14 as follows: Strike out the figures “14” in the first line and insert the figures “13” in lieu thereof, making section 14 read section 13 of the bill; which was read and agreed to.

Amendment No. 6—Strike out the whole of section 15, section 16, section 17 and section 18 of the bill; which was read and agreed to.

Amendment No. 7—Strike out the whole of section 19 of the bill; which was read and agreed to.

Amendment No. 8--Amend section 20, as follows: Add to section 20 the words "and for any debt or liability of her husband, created for necessities for the wife or family;" also strike out the figures "20" in the first line of said section, and insert in lieu thereof, the figures "14," making section 20 read "section 14" of the bill; which was read and agreed to.

On motion, the bill was ordered printed.

Senate resolution No. 8, entitled Concurrent resolution in reference to the copy-right of the reports of the decisions of the Supreme Court of the United States; was taken up, and, on motion, ordered printed for information.

Mr. Booth introduced bill No. 537, entitled An act to amend section 7 of chapter 103 of the General Statutes of Missouri of 1865; which was read the first time and laid over.

Mr. Gwynne presented a remonstrance of citizens of this State, against the passage of the bill now before the Legislature, to compel foreign insurance companies to make a deposit of United States bonds, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Chilton presented a remonstrance of citizens of this State, against the passage of the bill now before the Legislature, to compel foreign insurance companies to make a deposit of United States bonds, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Weygandt presented a remonstrance of citizens of this State, against the passage of the bill now before the Legislature, to compel foreign insurance companies to make a deposit of United States bonds, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Vancleve introduced bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor; which was read the first time and laid over.

Senate concurrent resolution No. 3, entitled Joint and concurrent resolution declaring the present session of the Legislature, the revising session, as provided in article 4, section 4, of the Constitution of the State of Missouri; was taken up, read at length by the clerk and signed by the Speaker, without objections.

House bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly Judge of the Sixth Judicial Circuit, and to appropriate money therefor; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brady, Brewer, Brown,

Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hynes, Helm Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Vancleve, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—99.

NOES—Messrs. Dade, Ingram, Powell, Rawlings and Swank—5.

ABSENT—Messrs. Andrews, Bonham, Burford, Carroll, Haynes, Hubbard, Kendall, Pollock, Souder, Tevis, Tiernan, Wisby and Younger—13.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Dryden, Foster, Harrigan, Harrington, Lynn, Manistre, Mudd of St. Louis, McDaniel, Patterson of Linn, Pepper, Phelan, Pollard, Riley, Settles, Warren, Wells and Windes—24.

SICK—Messrs. Campbell of St. Louis city and Ham—2.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which was agreed to.

On motion of Mr. Knight, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-SEVENTH DAY—WEDNESDAY, March 19, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Booth presented a petition from citizens of Franklin county, Missouri, protesting against the passage of the bill now before the

General Assembly, to compel foreign insurance companies, now doing business in this State, to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Mott presented a petition from citizens of St. Louis, Missouri, protesting against the passage of the bill now before the General Assembly, to compel foreign insurance companies, now doing business in this State, to make deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Saunders presented a petition from citizens of Buchanan county, protesting against the passage of the bill now pending in the General Assembly, to compel foreign insurance companies now doing business in this State, to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Cook introduced bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869; which was read the first time and laid over.

Mr. Harrigan introduced bill No. 540, entitled An act to repeal an act entitled an act to provide for the exercise of the right of voting by persons who have failed to register, approved March 30, 1877; which was read the first time and laid over.

Mr. Kniesley introduced bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10th, 1860; which was read the first time and laid over.

Accompanying the bill is the following notice of publication, as required by the constitution.

NOTICE—To all whom this notice shall come: Take heed, that application will be made to the 30th General Assembly of the State of Missouri, for the passage of an act amending an act entitled an act to establish a court of common pleas, at the city of Sturgeon, in Boone county, approved January 10th, 1860, which shall empower said court to exercise, within the bounds of its territorial limits, as now established:

First—Exclusive original jurisdiction in all civil actions and proceedings, as well at law as in equity, of what nature soever.

Second—Concurrent original jurisdiction with justices of the peace in all civil actions and proceedings, not exclusively cognizable before justices of the peace.

Third—Exclusive superintending control over justices of the peace, mayors, trustees and recorders of towns, in said district.

Fourth—Exclusive jurisdiction over appeals from the judgments of justices of the peace, mayors, trustees and recorders of towns, in said bounds. John F. Rucker, A. J. Wren, W. H. Fountain, W. H. Goin, I. M. Proctor, M. H. Harris.

Affidavit of publisher.

STATE OF MISSOURI, }
County of Boone. } ss.

Thomas S. Carter, being duly sworn according to law, says that he is the publisher of the Sturgeon Leader, a weekly newspaper, printed and published in the county of Boone, State aforesaid, and that the notice hereto annexed, was published in said newspaper for five weeks consecutively, as follows: 1st insertion, 15th day of February, 1879; 2nd insertion, 22d day of February, 1879; 3d insertion, 1st day of March, 1879; 4th insertion, 8th day of March, 1879; 5th insertion, 15th day of March, 1879.

THOMAS S. CARTER, Publisher.

Subscribed and sworn to before me, this 17th day of March, 1879. I was duly commissioned notary public the 19th day of February, 1876; commission expires the 19th day of February, 1882.

[SEAL]

M. H. HARRIS, Notary Public.

Mr. Pehle, from the Special Committee appointed to examine into the conduct of the Official Reporter, submitted the following report:

MR. SPEAKER: Your Committee to whom was referred the resolution charging Tennie Matthews, Official Reporter of this House, with incapacity to perform the duties of said Reporter, because of continued intoxication, would respectfully report that they have investigated said charge, and find the same to be true, and recommend that the resolution, therewith submitted do pass; which was read.

WHEREAS, Tennessee Mathews, Jr., Official Reporter of the House, is, and for some time has been, under the influence of intoxicating liquors, and thereby rendered himself incompetent to fill said position with honor and respect; be it

Resolved, That said office be declared vacant from and after the passage of this resolution; which was read, and, on motion, further consideration postponed until to-morrow, at 2 o'clock, P. M.

Mr. Knight presented a petition from Independence Grange, No. 96, in relation to interest, reduction of salaries, etc.; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respect-

fully report that they have carefully examined House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State, and find the same truly and correctly enrolled; which was read.

House bill No. 11, entitled An act to provide for correcting and perfecting the laws of this State; was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No 81, entitled An act to revise and amend that portion of title 42, of navigation and salvage, being chapter 193 of General Statutes of Missouri, concerning boats and vessels, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Substitute No. 3 for Senate bill No. 81, entitled An act to revise and amend that portion of title 42, of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 71, entitled An act to revise and amend title 39 of General Statutes of Missouri, concerning forcible entry and detainer, and unlawful detainer, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer, and unlawful detainer; was taken up, and, on motion, referred to Joint Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants;

was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 62, and substitute No. 1, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property;

Also, substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate;

Also, substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens, beg leave to report that they have considered the same, and recommend that the said substitutes do pass; which was read.

Senate substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto relating to juries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto relating to juries; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 191, entitled An act to amend section 1 of an

act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

Senate bill No. 191, entitled An act to amend section 1 of an act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877, was taken up, and, on motion, laid over for third reading.

Mr. O'Malley, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 126, entitled An act to appropriate money to pay Joseph W. Branch, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 126, entitled An act to appropriate money to Joseph W. Branch, was taken up, and, on motion, ordered engrossed and printed.

Mr. Cook presented a petition from citizens of Clinton county, protesting against the passage of a bill now pending in the General Assembly, requiring foreign insurance companies doing business in this State to make a deposit in bonds of the United States, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Organ, from the Committee on Printing, submitted the following report:

MR. SPEAKER: Your Committee on Public Printing, to whom was referred House bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Missouri Statutes, entitled advertisements and all acts amendatory thereof, beg leave to report that they have considered the same and submit the accompanying substitute therefor, without recommendation; which was read.

House bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Missouri Statutes, entitled advertisements, and all acts amendatory thereof; was taken up, with the substitute recommended by the Committee on Printing.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 255, entitled An act to amend an act to amend sections 14 and 17, chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wag-

ner's Statutes, approved March 18, 1875, beg leave to report that they have considered the same and report it back to the House with the accompanying substitute without recommendation; which was read.

House bill No. 255, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wagner's Statutes, approved March 18, 1875; was taken up, with the substitute recommended by the Committee on Elections.

The substitute was read, and ordered printed for information.

The following message was received from the Governor through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, March 19, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR:—I return to the House, with my approval endorsed thereon, a bill of the following title:

An act to punish cheats, frauds, tricks, deceptions, false and fraudulent representations, statements, false pretenses, confidence games and using and passing false and bogus checks, instruments, coins and metals.

Very respectfully,

JOHN S. PHELPS.

Which was read.

House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of Missouri, entitled of the Supreme Court; was called up, with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and ordered engrossed and printed.

The special order being the consideration of House concurrent resolution No. 7, entitled Concurrent resolution of the General Assembly, providing for a Supreme Court Commission; was taken up.

The question being upon the engrossment and printing of the resolution,

The ayes and noes were demanded, and the House refused to order the resolution to engrossment and printing by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Booth, Brady, Brewer, Bryan, Carleton, Cloud, Cock, Collins, Cook, Cox, Crow, Dilley, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Haynes, Harrigan, Johnson, Lackland, Lesueur, Lockhart, Louthan,

Mabrey, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Pollock, Ragan, Saunders, Smith of St. Louis city, Spring, Talbot, Taylor, Vancleve, Waggener, Wiley and Mr. Speaker—56.

NOES—Messrs. Alldridge, Andrews, Ballew, Bashaw, Beckner, Bohannon, Boulware, Brown, Burford, Campbell of Atchison, Chilton, Chitwood, Cowan of Christian, Craig, Crowther, Dade, Dale, Davis, Diercks, Dodson, Drum, Ellis, Freed, Gray, Greer, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Mackey, Miles, Mudd of St. Louis, McKinney, Organ, Patterson of Schuyler, Pehle, Pollard, Powell, Powers, Rawlings Reynolds, Smith of Cedar, Swank, Tevis, Turner, Weygandt, Whitaker, Withers and Younger—58.

ABSENT—Messrs. Bonham, Carroll, Coleman, Mahn, Price, Souder, Tiernan and Wisby—8.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—18.

SICK—Messrs. Campbell of St. Louis city, Chenoweth and Cooper—3.

Mr. McCormick of St. Louis city, introduced bill No. 542, entitled An act to amend chapter 205 of the General Statutes of Missouri, being article 7 of Wagner's Statutes, entitled offenses against the public peace, or affecting the security of persons and property not before enumerated, by adding a new section thereto; which was read the first time and laid over.

House bill No. 141, entitled An act to amend section 1 of an act entitled an act to provide for the levy of a special tax to create a sinking fund for the payment of county, city and town indebtedness, approved April 14, 1877; was taken up, and, on motion, made special order for Friday, March 21st.

House bill No. 144, entitled An act to amend section 1 of an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877; was taken up with the substitute recommended by the Committee on Banks and Corporations, and, on motion, made special order for Friday, March 21st.

House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new sections to said chapter; was taken up.

Mr. Lockhart offered the following amendment:

Amend section 4 in line 2 after the word "sale," by adding the words, "or by notice and sale;" which was read and not agreed to.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the bill was ordered engrossed and printed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Craig, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gray, Gwynne, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Powell, Powers, Rawlings, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—90.

NOES—Messrs. Cox, Crow, Crowther, Davis, Drum, Dryden, Foster, Hayes, Lackland, Louthan, Mabrey, Mudd of Lincoln, McCormick of St. Louis city, McIntyre, Pehle, Pollard and Saunders—17.

ABSENT—Messrs. Carleton, Carroll, Coleman, Greer, Haynes, Harrigan, Kendall, Mahn, Pollock, Price, Ragan, Souder, Waggener, Wisby and Younger—15.

ABSENT WITH LEAVE—Messrs. Andrews, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—18.

SICK—Messrs. Campbell of St. Louis city, Chenoweth and Cooper—3.

Mr. Davis moved to reconsider the vote by which substitute for House bill No. 301 was ordered engrossed and printed; which was agreed to.

Mr. Davis moved to reconsider the vote by which substitute for House bill No. 301 was agreed to; which was agreed to.

By unanimous consent of the House, Mr. Davis withdrew the substitute recommended by the Committee on Ways and Means.

Mr. Davis offered a substitute for House bill No. 301, entitled An act to amend section 3 of an act, approved March 28, 1877, concerning the assessment and collection of taxes, and section 56 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; the substitute was read and agreed to, and ordered engrossed and printed.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106 of the General Statutes of the State of Missouri, concerning frauds and perjuries; also Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of Missouri, concerning fraudulent conveyances; also substitutes Nos. 22 and 23 for Senate bill No. 52, entitled An act to revise and amend chapters 154 and 155 of the General Statutes, concerning trusts and trustees, habeas corpus, in which the concurrence of the House is respectfully requested; which was read.

Substitute for House bill No. 244, entitled An act authorizing the sale or lease of real estate belonging to insane persons under guardianship, for reinvestment; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Boulware, Booth, Bohannon, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cox, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrison, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Mabrey, Mackey, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollock, Pollard, Powell, Powers, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—98.

NOES—Messrs. Bonham, Cowan of Christian, Craig, Dade, Davis, Hubbard, Hynes, Ingram, Johnson, Knight, Lockhart, Miles, Pehle and Swank—14.

ABSENT—Messrs. Beckner, Carroll, Coleman, Haynes, Harrigan, Mahn, Price, Souder, Waggener and Wisby—10.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—18.

SICK—Messrs. Campbell of St. Louis city, Chenoweth and Cooper—3.

The title of the bill was read and agreed to.

Mr. Cock moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 211, entitled An act to amend section 1 of an act fixing the salary of the Clerk of the Supreme Court, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Craig, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pollard; Powell, Powers, Rawlings, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Weygandt, Whitaker, Withers and Younger—81.

NOES—Messrs. Bashaw, Booth, Brady, Carleton, Chilton, Dryden, Farr, Foster, Gwynne, Hayes, Hall, Harrigan, Maynard, Mott, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Ragan, Saunders, Smith of St. Louis city, Taylor, Tiernan and Wiley—24.

ABSENT—Messrs. Arnold, Carroll, Coleman, Cox, Davis, Finks, Haynes, Lackland, Louthan, Mahn, Pollock, Souder, Vancleve, Waggener, Wisby and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—18.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. Bonham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 116, entitled An act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Berry, Bohannon, Boulware, Brady, Campbell of Atchison, Chenoweth, Cloud, Cock, Cook, Craig, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hammons, Harrigan, Hubbard, Hynes, Kneisley, Lackland, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McKill, McKinney, O'Malley, Patterson of Schuyler, Pollard, Ragan, Reynolds, Saunders, Swank, Taylor, Turner, Vancleve, Wiley, Withers, Younger and Mr. Speaker—48.

NOES—Messrs. Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Bonham, Booth, Brewer, Brown, Bryan, Burford, Carleton, Chilton, Chitwood, Collins, Cowan of Christian, Cox, Crow, Crowther, Dade, Dale, Davis, Diercks, Dodson, Drum, Freed, Greer, Hayes, Hall, Hale, Ham, Harrison, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Manistre, Maynard, Miles, Morrison, Mott, McCormick of St. Louis city, McElvain, McIntyre, Organ, Palmer, Pehle, Powell, Powers, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Weygandt and Whitaker—64.

ABSENT—Messrs. Carroll, Coleman, Haynes, Pollock, Rawlings, Souder, Tiernan, Waggener and Wisby—9.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, Mahn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—19.

SICK—Messrs. Campbell of St. Louis city, Cooper and Price—3.

Mr. McIntyre moved to reconsider the vote by which Senate bill No. 116 failed to pass.

Mr. Dade moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Beckner, Bohannon, Bonham, Booth, Boulware, Bryan, Burford, Carleton, Chilton, Chitwood, Cowan of Christian, Crowther, Dade, Dale, Davis, Diercks, Dodson, Drum, Greer, Hall, Ham, Helm, Johnson, Kendall, Knight, Lockhart, Louthan, Mabrey, Miles, Morrison, McCormick of St. Louis city, McElvain, Pehle, Smith of Cedar and Vancleve—39.

NOES—Messrs. Adams, Brady, Brewer, Campbell of Atchison, Cloud, Collins, Cook, Cox, Craig, Crow, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hale, Harrison, Hynes, Kneisley, Lackland, Larimore, Lesueur, Mackey, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollard, Powell, Powers,

Ragan, Rawlings, Reynolds, Saunders, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Withers, Younger and Mr. Speaker—59.

ABSENT—Messrs. Andrews, Berry, Brown, Carroll, Cock, Coleman, Freed, Hammons, Haynes, Harrigan, Hubbard, Ingram, Pollock, Souder, Swank, Tevis, Tiernan, Waggener, Weygandt, Whitaker, Wiley and Wisby—22.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, Mahn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—19.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The question recurring on the motion to reconsider the vote by which the bill failed to pass; it was agreed to.

The question being upon the passage of the bill, it again failed to pass the following vote:

AYES—Messrs. Adams, Ballew, Berry, Bohannon, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Cloud, Collins, Cook, Cox, Craig, Crow, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hale, Harrison, Hynes, Kneisley, Lackland, Larimore, Mackey, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollard, Powell, Powers, Ragan, Rawlings, Reynolds, Saunders, Spring, Talbot, Turner, Vancleve, Weygandt, Wiley, Withers, Younger and Mr. Speaker—68.

NOES—Messrs. Alldridge, Arnold, Bashaw, Beckner, Bonham, Booth, Burford, Chitwood, Cowan of Christian, Crowther, Dade, Dale, Davis, Diercks, Dodson, Greer, Hall, Ham, Hammons, Helm, Ingram, Johnson, Kendall, Knight, Lesueur, Lockhart, Louthan, Mabrey, Miles, Morrison, McCormick of St. Louis city, McElvain, Pehle, Smith of Cedar, Smith of St. Louis city and Taylor—36.

ABSENT—Messrs. Andrews, Carroll, Chenoweth, Cock, Coleman, Haynes, Harrigan, Hubbard, Manistre, Pollock, Souder, Swank, Tevis, Tiernan, Waggener, Whitaker and Wisby—17.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bowman, Burrows, Cowan of Holt, Creager, Dawson, Harrington, Lynn, Mahn, McDaniel, Patterson of Linn, Pepper, Phelan, Riley, Settles, Warren, Wells and Windes—19.

SICK—Messrs. Campbell of St. Louis city, Cooper and Price—3.

The following message was received from the Senate through its Secretary, Mr. Pemberton :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161-1-2-3-4-5-6-7-8-9-70-1-2 of the General Statutes of the State of Missouri, concerning practice in civil cases; in which the concurrence of the House is respectfully requested ; which was read.

On motion of Mr. Collins, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-EIGHTH DAY—THURSDAY, March 20, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. Dr. Brooks.

The journal of yesterday was being read, when,

On motion of Mr. McGarry, the further reading was dispensed with.

Mr. Vancleve presented a petition from citizens of Macon City protesting against the passage of a bill now pending before the General Assembly to compel foreign insurance companies, now doing business in this State, to make a deposit in bonds of the United States in the sum of \$200,000; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Wiley offered the following resolution :

Resolved, That the account of A. J. Shockley, herewith presented, amounting to \$72.95, for stoves, etc., be allowed and ordered paid; which was read and adopted.

Mr. Knight offered the following resolution :

Resolved, That the Committee on Judiciary, to whom was referred resolution and articles of impeachment submitted against Elijah Gates, State Treasurer, be requested to report the same back without delay, in order that said resolution and articles may be referred to the special committee appointed to prepare articles of impeachment; which was read and adopted.

Mr. Hall presented a petition from citizens of St. Louis city, in relation to the sale of intoxicating drinks; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Harrigan presented a petition from citizens of St. Louis, praying the passage of the bill now pending in the General Assembly, prohibiting the licensing of gambling houses, houses of ill-fame and assignation houses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. McGarry presented a petition from citizens of St. Louis, praying the General Assembly to pass the bill prohibiting the licensing of gambling houses, houses of ill-fame and assignation houses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Cloud presented a petition from citizens of Livingston county, praying the General Assembly to enact a township law in this State; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Settles presented a remonstrance from citizens of this State, against the passage of the bill now before the Legislature, to compel foreign insurance companies now doing business in this State, to make a deposit in bonds of the United States in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Louthan introduced bill No. 543, entitled An act to amend section 1 of chapter 68 of Wagner's Statutes of Missonri, concerning homesteads; which was read the first time and laid over.

Mr. Arnold introduced bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and Chief Clerk of the House of Representatives; which was read the first time and laid over.

Mr. Patterson of Linn introduced bill No. 545, entitled An act to authorize counties which adopted the township organization law, when the same was in force, to provide for the payment of the debts of such townships as left debts unpaid when said law was repealed; which was read the first time and laid over.

Mr. Burford introduced bill No. 546, entitled An act defining the jurisdiction of common pleas courts; which was read the first time and laid over.

Mr. Larimore introduced bill No. 547, entitled An act to relieve the financial wants of the State; which was read the first time and laid over.

Mr. Cock introduced bill No. 548, entitled An act to authorize the collection of fines and costs from saloon and dram-shop keepers ; which was read the first time and laid over.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 396, entitled An act to provide a uniform system for cancelling county warrants, beg leave to report that they have considered the same and recommend that the substitute herewith submitted do pass ; which was read.

House bill No. 396, entitled An act to provide a uniform system for canceling county warrants ; was taken up, with substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 181, entitled An act to amend section 24 of chapter 48 of Wagner's Missouri Statutes, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

House bill No. 181, entitled An act to amend section 24 of chapter 48 of Wagner's Missouri Statutes ; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 391, entitled An act in relation to pawnbrokers, having had the same under consideration, beg leave to report said bill back to the House without recommendation ; which was read.

House bill No. 391, entitled An act in relation to pawnbrokers ; was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was recommitted House bill No. 133, entitled An act to amend section 8 of chapter 48 of Wagner's Statutes, entitled dramshops, having considered the same, beg leave to report said bill back to the House, with the accompanying amendment, without recommendation ; which was read.

House bill No. 133, entitled An act to amend section 8 of chapter 48 of Wagner's Statutes, entitled dramshops; was taken up, with the following amendment recommended by the Committee on Criminal Jurisprudence:

Amend by inserting after the words "incorporated towns," in the sixth line of section 8, the words "having a population of not less than two thousand inhabitants"; which was read.

Mr. Smith of Cedar moved to lay the amendment upon the table; which was agreed to.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was taken up, and, on motion, laid over for third reading.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was taken up, and, on motion, the substitute was ordered printed.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 289, entitled An act fixing the fees of circuit and county clerks, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury, arising from fines, penalties and forfeitures, and from the sale of strays, and for the investment and preservation of money paid under this act as a county public school fund, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 212, entitled An act to amend sections two and three of article 1 of chapter 82 of Wagner's Missouri Statutes, (third edition) the same being sections two and three of chapter 177 of the General Statutes, concerning the jurisdiction of justice's courts, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 119, entitled An act for the relief of Henry DeBolt, and to appropriate money therefor, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Dade presented a remonstrance against the passage of the bill now before the Legislature, to compel foreign insurance companies now doing business in this State, to make a deposit in United States bonds, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Powell presented a petition from citizens of Macon county, praying the Legislature to submit to the voters of the State, a constitutional amendment, forever prohibiting the manufacture, importation and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Carleton introduced bill No. 549, entitled An act to amend section 5 of chapter 214 of the General Statutes, being section 5 of article 7 of Wagner's Statutes, entitled of the verdict and judgment and proceedings thereon; which was read the first time, and laid over.

The special order being the consideration of Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collec-

tion of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, and, on motion, postponed until to-morrow morning at 10 o'clock.

Senate bill No. 191, entitled An act to amend section 1 of an act entitled an act to provide for the taxing and licensing of manufacturers in this State, approved April 28, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Wells, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—114.

ABSENT—Messrs. Dougherty, Gray, Gwynne, Knight, Maynard, O'Malley, Pollard, Riley, Souder, Tevis, Vancleve, Weygandt and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Holt, Davis, Dawson, Lynn, Mahn, McCormick of Washington, McDaniel, Pepper and Warren—12.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. Cox moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. McCormick of St. Louis city for five days.

Leave of absence was granted Mr. McCormick of Washington for seven days.

Senate bill No. 172, entitled An act to appropriate money for the State government for the years 1879 and 1880; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Leave of absence was granted Mr. Freed for seven days.

House bill No. 206, entitled An act for the relief of Phillip Zeal; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Berryman, Boulware, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cox, Craig, Creager, Crowther, Dale, Diercks, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Harrington, Helm, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Mackey, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollock, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Wells, Wiley, Windes and Mr. Speaker—84.

NOES—Messrs. Alldridge, Ballew, Bashaw, Beckner, Bohannon, Bonham, Booth, Brady, Brewer, Brown, Cook, Cowan of Christian, Crow, Dade, Dougherty, Greer, Hammons, Harrison, Hubbard, Hynes, Ingram, Larimore, Louthan, Mabrey, McElvain, McKinney, Pehle, Powell, Reynolds, Smith of Cedar, Weygandt, Whitaker, Withers and Younger—34.

ABSENT—Messrs. Andrews, Cloud, Knight, Maynard, Miles, McCormick of Washington, O'Malley, Pollard, Souder and Wisby—10.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Holt, Davis, Dawson, Lynn, Mahn, McDaniel, Pepper and Warren—11.

SICK—Messrs. Campbell of St. Louis city Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. Cock moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 139, entitled An act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections: 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; was taken up, read at length by the Clerk and signed by the Speaker without objections.

Senate substitute for Senate bill No. 54, entitled An act to revise and amend title 44, chapter 198 of the General Statutes of the State of Missouri, concerning arbitrations and references; was taken up,

read at length by the Clerk and signed by the Speaker without objections.

House bill No. 423, entitled An act to provide for inspectors of elections in certain cases; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Wells, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—105.

NOES—Messrs. Brady, Craig, Dale, Tevis and Turner—5.

ABSENT—Messrs. Andrews, Campbell of Atchison, Carroll, Gwynne, Hall, Harrington, Johnson, Knight, Lesueur, O'Malley, Pollard, Ragan, Souder, Tiernan, Vancleve, Waggener and Wisby—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Holt, Davis, Dawson, Lynn, Mahn, McCormick of Washington, McDaniel, Pepper and Warren—12.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 441, entitled An act to amend section 1 and section 3 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys arising therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of

Atchison, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Ragan, Rawlings, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—103.

NOES—Messrs. Farr, Greer, Ham, Hynes, Kendall, Patterson of Linn, Powell, Riley and Wells—9.

ABSENT—Messrs. Carleton, Craig, Gwynne, Harrington, Knight, Lackland, Lesueur, McCormick of Washington, O'Malley, Reynolds, Souder, Tevis, Vancleve, Waggener and Wisby—15.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Holt, Davis, Dawson, Dryden, Lynn, Mahn, McDaniel, Pepper and Warren—12.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. Crow moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 1 for Senate bill No. 56, entitled An act to revise and amend chapter 114 of the General Statutes of Missouri, concerning divorce, alimony and custody of children; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Senate bill No. 226, entitled An act declaring that certain bonds have been paid, and are no longer a claim against the State, and directing their cancellation; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Mr. Collins introduced a joint resolution in relation to tendering a reception to Gen. Shields by his old comrades and the citizens of Jefferson City; which was read the first, second and third times and adopted.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 176, entitled An act to prohibit the publishing of advertisements of lotteries and gift enterprises, beg leave to report that they have considered the same, and herewith submit a substitute, and recommend that the substitute do pass; which was read.

House bill No. 176, entitled An act to prohibit the publishing of advertisements of lotteries and gift enterprises; was taken up with the substitute recommended by the Committee on Criminal Jurisprudence.

The substitute was agreed to, and ordered engrossed and printed.

House bill No. 532, entitled An act to authorize the refunding of State debt at a lower rate of interest; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 533, entitled An act to provide for the transferring of the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court; was called up, read the second time, and, on motion, referred to the Committee on Swamp Lands.

House bill No. 534, entitled An act to authorize county courts to correct land entries, patents and records; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 535, entitled An act to amend section 5, chapter 76 of Wagner's Missouri Statutes, the same being section 5 of an act entitled an act to create an insurance department, approved March 4, 1869; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 537, entitled An act to amend seven of chapter 108 of the General Statutes of 1865 of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 540, entitled An act to repeal an act entitled an act to provide for the exercise of the right of voting by persons who have failed to register, approved March 30, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10, 1860; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 542, entitled An act to amend chapter 205 of the General Statutes of Missouri, being article 7 of Wagner's Statutes, entitled offenses against the public peace or affecting the security of persons and property not before enumerated, by adding to said chapter a new section; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

Senate substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri; was called up and read the first time.

Senate substitute No. 22 for Senate bill No. 52, entitled An act to revise and amend chapter 154 of the General Statutes of the State of Missouri, concerning trusts and trustees; was called up and read the first time.

Senate substitute No. 23 for Senate bill No. 52, entitled An act to revise and amend chapter 155 of the General Statutes of the State of Missouri, concerning habeas corpus; was called up and read the first time.

Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances; was called up and read the first time.

Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106 of the General Statutes of the State of Missouri, concerning frauds and perjuries; was called up and read the first time.

The following message was received from the Senate through its Secretary, Mr. Pemberton.

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in all of House amendments to Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; which was read.

On motion of Mr. Arnold, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

Leave of absence was granted Mr. Brown for one day.

House bill No. 119, entitled An act for the relief of Henry De-Bolt and to appropriate money therefor; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berryman, Bonham, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrington, Hubbard, Hynes, Helm, Knight, Lackland, Lockhart, Louthan, Mabrey, Mackey, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McElvain, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve Warren, Wells, Weygandt, Wiley, Windes and Mr. Speaker—83.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Bohannon, Booth, Dade, Hale, Harrison, Ingram, McKinney, Pehle, Reynolds, Whitaker, Withers and Younger—16.

ABSENT—Messrs. Berry, Boulware, Burford, Carroll, Cock, Diercks, Dodson, Freed, Gray, Harrigan, Johnson, Kendall, Kneisley, Larimore, Lesueur, Miles, Mudd of Lincoln, McGarry, O'Malley, Pollock, Pollard, Powell, Souder, Smith of Cedar, Tevis, Waggener and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cowan of Holt, Davis, Dawson, Dryden, Lynn, Mahn, McCormick of Washington, McCormick of St. Louis city, McDaniel, McIntyre and Pepper—13.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper and Price—4.

The title of the bill was read and agreed to.

Mr. Bashaw moved to reconsider the vote by which the bill passed.

Mr. Crowther moved to lay the motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed

the Senate, substitute for Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173 of the the General Statutes of the State of Missouri, concerning costs in civil cases:

Also, substitutes No. 6, 24, 25 and 27, for Senate bill No. 52, entitled An act to revise and amend chapters 138, 156, 157 and 159 of the General Statutes of Missouri, concerning common law, mandamus, quo warranto and judgments;

Also, substitute for Senate bills Nos. 74 and 212, entitled An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning saline, State and seminary lands;

Also, substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State, and other persons, from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary funds;

Also, Senate joint and concurrent resolution No. 4, requesting Senators and Representatives in Congress to vote for and use all means in their representative capacity, to establish an efficient and stable government in the Indian Territory, in which the concurrence of the House is respectfully requested; which was read.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 5, entitled Joint and concurrent resolution in relation to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6th, 1872, and find the same truly and correctly enrolled; which was read.

House joint and concurrent resolution No 5, entitled Joint and concurrent resolution in relation to the sale of leaf tobacco, as affected by the revenue laws of the United States, enacted June 6th, 1872; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Dodson was reported sick.

House bill No. 212, entitled An act to amend sections 2 and 3 of article 1 of chapter 82 of Wagner's Missouri Statutes, (third edition,) the same being sections 2 and 3 of chapter 177 of the General Statutes, concerning the jurisdiction of justice's courts; was taken up, read the third time, and passed by the following vote;

AYES--Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox,

Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Ham, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Lesueur, Lockhart, Mabrey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Taylor, Tiernan, Turner, Vancleve, Warren, Weygandt, Whitaker, Wiley and Younger—89.

NOES—Messrs. Bashaw, Brady, Cock, Craig, Hall, Hale, Haynes, Louthan, Rawlings, Smith of Cedar, Wells, Windes, Withers and Mr. Speaker—14.

ABSENT—Messrs. Burford, Chitwood, Gray, Hayes, Harrigan, Kneisley, Lackland, Larimore, Mackey, Mudd of Lincoln, McGarry, O'Malley, Pollock, Powell, Ragan, Settles, Souder, Talbot, Tevis, Waggener and Wisby—21.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brown, Cowan of Holt, Davis, Dawson, Dryden, Freed, Lynn, Mahn, McCormick of Washington, McDaniel, McIntyre and Pepper—14.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper, Dodson and Price—5.

The title of the bill was read and agreed to.

Mr. Pehle moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 254, entitled An act to provide for the reimbursement of counties that have paid money into the State Treasury, arising from fines, penalties, forfeitures, and from the sale of strays, and for the investment and preservation of money, paid under this act as a county public school fund; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Arnold, Berry, Boulware, Bryan, Campbell of Atchison, Carleton, Chilton, Cowan of Christian, Cox, Creager, Crow, Crowther, Diercks, Ellis, Ewing, Farr, Hall, Hubbard, Helm, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Maynard, Moler, Morrison, Mudd of St. Louis, McCormick of St. Louis city, Organ, Palmer, Patterson of Linn, Powers, Riley, Saunders, Taylor, Warren, Whitaker and Wiley—39.

NOES—Messrs. Adams, Alldridge, Ballew, Beckner, Bohannon, Bonham, Booth, Brady, Brewer, Burrows, Carroll, Chitwood, Cloud, Cock, Coleman, Cook, Craig, Dade, Dale, Dilley, Drum, Finks, Foster, Greer, Hale, Ham, Hammons, Haynes, Harrigan, Harrington,

Harrison, Hynes, Ingram, Knight, Louthan, Mabrey, Manistre, Mott, McElvain, McKill, McKinney, Patterson of Schuyler, Pehle, Phelan, Pollard, Rawlings, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tiernan, Turner, Wells, Weygandt, Windes, Withers, Younger and Mr. Speaker—60.

ABSENT—Messrs. Andrews, Bashaw, Berryman, Brown, Burford, Collins, Dougherty, Freed, Gray, Gwynne, Hayes, Lackland, Larmore, Mackey, Miles, Mudd of Lincoln, McGarry, O'Malley, Pollock, Powell, Ragan, Souder, Talbot, Tevis, Vancleve, Waggener and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cowan of Holt, Davis, Dawson, Dryden, Lynn, Mahn, McCormick of Washington, McDaniel, McIntyre and Pepper—12.

SICK—Messrs Campbell of St. Louis city, Chenoweth, Cooper, Dodson and Price—5.

Mr. Reynolds moved to reconsider the vote by which the bill failed to pass.

Mr. Dale moved to lay the motion to reconsider on the table; which was agreed to.

Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173, of the General Statutes of the State of Missouri, concerning costs in civil cases; was called up and read the first time.

Senate substitute No. 24 for Senate bill No. 52, entitled An act to revise and amend chapter 156 of the General Statutes of the State of Missouri, concerning mandamus; was called up and read the first time.

Senate substitute No. 25 for Senate bill No. 52, entitled An act to revise and amend chapter 157 of the General Statutes of the State of Missouri, concerning quo warranto; was called up and read the first time.

Senate substitute No. 7 for Senate bill No. 52, entitled An act to revise and amend chapter 138 of the General Statutes of the State of Missouri, concerning common law; was called up and read the first time.

Senate substitute No. 7 for Senate bill No. 52, entitled An act to revise and amend chapter 159 of the General Statutes of the State of Missouri, concerning judgments; was called up and read the first time.

Senate substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State, and other persons, from negotiating, assigning, transferring or hypothecating the bonds of the State school and seminary funds; was called up and read the first time.

Senate substitute for Senate bills Nos. 74 and 212, entitled An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning saline, State and seminary lands; was called up and read the first time.

Senate joint and concurrent resolution No. 4, entitled Joint and concurrent resolution, requesting Senators and Representatives in Congress to vote for and use all means in their representative capacity, to establish an efficient and stable government in the Indian Territory; was called up and read the first time.

Mr. Reynolds introduced bill No. 550, entitled An act to provide for the redemption of real estate sold under foreclosure of mortgage, deed of trust or execution, and to repeal all acts and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Riley submitted the following communication from a Committee of the Board of Managers of State Lunatic Asylum No. 2:

To the Board of Managers State Lunatic Asylum No. 2:

The undersigned committee, appointed under a resolution of the Board adopted at the last regular meeting of the Board, on the 11th inst., to prepare a report embodying the wants, and setting forth the circumstances by which the inmates of the Asylum are surrounded, beg leave to submit the following report:

There are now confined in the court house, in the city of St. Joseph, one hundred and seventy-five insane persons, regularly and in due form of law, sent from 45 different counties in the State, to Asylum No. 2.

The residue of the patients that were in the Asylum when it was burnt on the 25th day of January last, have been taken home, where they are now kept, and will be kept until they can be returned to the Asylum and properly cared for and treated.

Since the fire, all that could possibly be done to provide for the wants, comfort and proper treatment of the patients now in the court house, has been done.

But we are satisfied that the restoration of many patients to sanity has been evidently retarded by the want of a suitable building in which to treat them.

Little can be done towards the relief of insane persons who are surrounded by the exciting circumstances surrounding them in the court house.

There is more or less noise, day and night, to disturb them and prevent sleep and repose, and it is impossible, in a public building that every one thinks he has an interest in and the right to enter

when he pleases, to prevent idlers and thoughtless persons from annoying and harrassing the patients.

But your committee are satisfied, from the experience we have already had since the patients have been in the court house, that it will be utterly impossible or impracticable to keep them there when the weather becomes warm. Already, notwithstanding the cold weather ever since they have occupied the court house, the halls, and every room in the entire building, are filled with offensive and sickly odors.

The county officials, all of whom have offices in the building, are complaining, and justly, we think, of the effects produced by the occupancy of the house as an asylum. It is impossible to keep a pure and sweet atmosphere in any building occupied by the number of helpless insane now in the court house, not provided with the necessary ventilation.

A plentiful supply of fresh water and proper bathing facilities are indispensable, and we think we may say with confidence, that the insane cannot be provided for, treated, or made comfortable in any building not expressly built and designed for the purpose.

That provision must be made to remove our patients from the court house, before warm weather sets in, is certain.

And if no building is erected for the purpose, the Board of Managers will be forced to have them all returned to the counties from which they were sent. Upon this branch of the subject, we will state that, in answer to a request of your committee, the following communication was received from Dr. G. C. Catlett, the Superintendent:

GENTLEMEN—In compliance with your request to give my opinion as to the practicability of providing for the insane now quartered in the court house during the spring and summer months, I have the honor to state that unless the court house be given up to the State for asylum purposes, and such alterations and improvements be made as are required in asylums for the treatment of the insane, it will be impossible to provide for and treat them in the court house, during the spring and summer months, without endangering the health of the patients, and rendering the building untenable for the transaction of official business.

(Signed)

GEO. C. CATLETT.

It was, soon after the building was burnt, suggested to committees sent to examine into the condition of affairs of Asylum No. 2 by the General Assembly, that a temporary building, costing \$10,000, could be made in six or eight weeks. That, together with the buildings now standing on asylum grounds, would accommodate all the patients comfortably until a new, permanent building could be provided, and

this temporary building could be used for certain classes of patients permanently, thereby increasing the facilities of the State for the treatment of the insane to the extent of 150 or 200 patients. This temporary building to be constructed near the site of the old building, and so as to utilize all the advantages of water and machinery, the farm, garden, dairy, and all else belonging to the State, on asylum grounds. This policy we think best to pursue. The next best thing that could be done, in our judgment, would be to reconstruct at once the north wing of the old building. This could be done in a month, and that wing made as good as ever, and with much greater capacity than it possessed before for keeping patients, at a cost of from \$10,000 to \$15,000.

If this wing were at once reconstructed or repaired, the patients could all be kept in it and the houses upon the ground, until the old building could be reconstructed.

That prompt action in the premises is demanded by the interest of the State and the necessities of the patients, is too patent to those who have thought about the matter to need argument. The farm, garden, vineyard and orchard, indeed everything out at the asylum grounds, needs attention.

The time for preparing ground, trimming trees and making preparation for cultivating the premises during the present year, is upon us. A few more weeks' delay and it will be too late to raise a crop and grow vegetables. Again, the spring rains and winds will destroy the walls of the old building, most of which are now good, unless steps are at once taken to cover and preserve them.

(Signed)

SILAS WOODSON,
I. C. ROBERTS,
ALLEN H. VORIES.

Resolved, That the Secretary of this Board be, and he is hereby instructed to prepare a copy of the report of the special committee appointed under a resolution of the Board, adopted on the 11th inst., made this day to the Board of Managers, and transmit it to our Senators and Representatives in the General Assembly, with the request that they will at once lay the same before the Legislature, as an expression of the views of the Board as to the necessity of prompt action on the part of the General Assembly; which was read, and, on motion, referred to the Committee on Asylums.

Mr. Patterson of Linn offered the following resolution :

Resolved, That a special committee of three be appointed by the Speaker, whose duty it shall be to visit Kennet Castle, Macon City, Limerick Lawn and St. Joseph, and that said committee visit no other

localities, and that said committee report to this body the best locality to locate Lunatic Asylum No. 2; which was read.

Mr. Dade offered the following amendment:

Amend by adding: Resolved, further, that said committee pay their own expenses; which was read.

Mr. Mudd of St. Louis offered the following substitute for the resolution and amendment:

Resolved, That a committee of three be appointed to visit the various places proposed for the relocation of Insane Asylum No. 2, and report to this House, with as little delay as possible, as to the advantages or disadvantages presented, and the inducements offered for such location; Provided, that the friends of such locations, or those who desire such examinations shall be made, shall first deposit a sum of money sufficient to defray the expenses of the committee in making such examination; which was read and adopted.

Mr. Dade introduced bill No. 551, entitled An act to amend an act entitled an act to amend an act entitled an act to regulate the inspection of petroleum oils or fluids, or any product thereof, sold or manufactured for illuminating purposes, approved ——— 24, 1870, approved March 20, 1870, and provide penalties for violation thereof; which was read the first time and laid over.

Mr. Booth, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred the impeachment resolutions introduced by Mr. Manistre, of St. Louis, herewith report the same to the House without having taken action thereon, in accordance with the resolution introduced by Mr. Knight requesting such report; which was read.

The special order being consideration of the resolution offered by Mr. Pehle, as follows:

WHEREAS, Tennessee Matthews, Jr., Official Reporter of the House, is, and for some time has been, under the influence of intoxicating liquors, and thereby rendered himself incompetent to fill said position with honor and respect; be it

Resolved, That said office be declared vacant from and after the passage of this resolution; was taken up.

The question being upon the adoption of the resolution, the ayes and noes were demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Brewer, Brown, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Collins, Cowan of Christian, Craig, Creager, Crow, Dade,

Dale, Diercks, Dilley, Drum, Ellis, Finks, Foster, Greer, Gwynne, Hayes, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Mackey, Manistre, Moler, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Tiernan, Turner, Warren, Weygandt, Whitaker and Withers—81.

NOES—Messrs. Hale, Kneisley, Ragan, Tevis and Wells—5.

ABSENT—Messrs. Anderson, Bashaw, Boulware, Bryan, Burford, Chitwood, Coleman, Cook, Cox, Crowther, Dougherty, Dryden, Ewing, Farr, Gray, Hall, Hubbard, Helm, Lackland, Mabrey, Maynard, McGarry, Miles, Morrison, Mott, Mudd of St. Louis, McDaniel, McIntyre, O'Malley, Organ, Pollock, Powell, Saunders, Souder, Spring, Taylor, Vancleve, Waggener, Wiley, Windes, Wisby, Younger and Mr. Speaker—43.

ABSENT WITH LEAVE—Messrs. Bowman, Cowan of Holt, Davis, Dawson, Freed, Lynn, Mahn, McCormick of Washington and Pepper—9.

SICK—Messrs. Campbell of St. Louis city, Chenoweth, Cooper, Dodson and Price—5.

Mr. Foster moved that the House proceed to the election of an Official Reporter, to fill the vacancy occasioned by the dismissal of Tennessee Matthews, Jr.

The ayes and noes being demanded, the motion did not prevail by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Bonham, Boulware, Brady, Brewer, Cloud, Cowan of Christian, Crow, Crowther, Diercks, Dilley, Drum, Foster, Harrington, Harrison, Hynes, Ingram, Johnson, Knight, Larimore, Lockhart, Mackey, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McElvain, McKill, McKinney, Patterson of Linn, Phelan, Rawlings, Reynolds, Settles, Smith of Cedar, Talbot, Whitaker, Withers and Younger—45.

NOES—Messrs. Bashaw, Berryman, Booth, Brown, Bryan, Burrows, Carleton, Chilton, Cock, Coleman, Collins, Cook, Craig, Creager, Dade, Dale, Dougherty, Ellis, Farr, Finks, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Kendall, Kneisley, Lackland, Louthan, Mabrey, Moler, Mudd of St. Louis, McCormick of St. Louis city, Organ, Patterson of Schuyler, Pehle, Pollard, Powers, Ragan, Riley, Saunders, Spring, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Wells, Weygandt and Mr. Speaker—54.

ABSENT—Messrs. Anderson, Arnold, Berry, Burford, Campbell of Atchison, Carroll, Chitwood, Cox, Dryden, Ewing, Gray, Harrigan, Hubbard, Helm, Lesueur, Mahn, Miles, McDaniel, McGarry, McIntyre, O'Malley, Palmer, Pollock, Powell, Souder, Smith of St. Louis city, Waggener, Warren, Wiley, Windes and Wisby—31.

ABSENT WITH LEAVE—Messrs. Bowman, Cowan of Holt, Davis, Dawson, Freed, Lynn, McCormick of Washington and Pepper—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Chenoweth, Dodson and Price—5.

On motion of Mr. Farr, the House adjourned until to-morrow morning at 9 o'clock.

FIFTY-NINTH DAY—FRIDAY, March 21, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Patterson of Linn, the further reading was dispensed with.

The Speaker announced the following special committee to visit locations in the State with a view of relocating Asylum No. 2: Messrs. Cox, Mackey and Maynard.

Mr. Rawlings offered the following resolution:

Resolved, That the committee of three to be appointed to examine and report upon location of Lunatic Asylum No. 2, be authorized by this House to employ a good architect and builder to accompany them in their visit and examination of the different points named, at a salary not to exceed five dollars per day, and that he be selected from a different point to any in competition for the said location; which was read and not adopted.

Mr. Cox offered the following resolution:

Resolved, That it is the sense of this House that no new bill be introduced or considered by this House after Thursday, April 3d; which was read and not adopted.

On motion of Mr. Farr, the House proceeded to the election of an Official Reporter.

Mr. Farr nominated J. H. Hawley.

Mr. Kneisley seconded the nomination of Mr. Hawley.

The roll was called with the following result:

Whole number of votes cast, 108; necessary to a choice, 55.

The members voting as follows:

FOR MR. HAWLEY—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cock, Collins, Cook, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Kneisley, Knight, Larimore, Lesueur, Louthan, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Mr. Speaker—97.

FOR MR. MITCHELL—Messrs. Beckner, Dade, Ingram, Lockhart and Pehle—5.

FOR MR. JACKSON—Mr. Gray—1.

FOR MR. CORWIN—Messrs. Alldridge, Cloud and Powell—3.

FOR MR. HILL—Mr. Younger—1.

FOR MR. WINDES—Mr. Johnson—1.

ABSENT—Messrs. Andrews, Ballew, Burrows, Chitwood, Coleman, Freed, Hall, Harrington, Harrison, Kendall, Lackland, McElvain, McKinney, Pollock, Reynolds, Souder, Taylor, Turner, Whitaker, Wisby and Withers—21.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cowan of Holt, Davis, Dawson, Lynn, Mahn, McCormick of Washington, and Pepper—9.

SICK—Messrs. Campbell of St. Louis city and Cooper—2.

Mr. Hawley having received a majority of all the votes cast, was declared elected.

Leave of absence was granted Mr. Chitwood on account of sickness in his family.

Mr. Lesueur submitted the following report from the Warden of the Penitentiary, in compliance with a resolution of the House:

OFFICE MISSOURI STATE PENITENTIARY,
JEFFERSON CITY, March 18, 1879. }

To the Honorable the House of Representatives:

GENTLEMEN: In accordance with House resolution adopted March 3, 1879, calling for certain information respecting the Missouri Peni-

tentiary, I have the honor to transmit herewith exhibits A, B, C, D and E.

Exhibit A shows the amounts received by said institution from the appropriation made thereto, and from all other sources, giving full particulars and items thereof, as well as the number of convicts contracted or hired out, the names of the contractors or persons to whom they are hired, and the amount received from each person.

Exhibit B shows the number of convicts employed in the service of the State and the particular employment.

The articles manufactured, and the amount received therefor, from convict labor employed in the service of the State, appear in Exhibit A.

Exhibit C shows the number and names of the officers and employes of the institution, the amount paid to each, and the manner of payment.

The manner of payment, as appears in writing at the top of Exhibit C, was in cash.

The amount paid to employes was \$8,524.44 in excess of amount appropriated for that purpose. The appropriation for 1877 and 1878 was based upon the pay-roll of February, 1877, at which time there were only about 300 convicts working for profit. As that number increased, it became necessary to employ more guards and foremen. The above stated amount (\$8,524.44) was paid out of the proceeds of labor, and deducted therefrom each month, thus showing the net, and not the gross earnings of labor.

The amount of \$1,488.18, paid to employes on repairs account, was charged to the appropriation for Repairs of Penitentiary, as has been the custom heretofore.

Exhibit D shows the amount of flour, and quality, purchased, from whom it was purchased, and the amount paid to each person; the number of pounds of beef purchased, the persons from whom the purchases were made, and the price paid to each; the amount of bacon and pork purchased, from whom purchased, the price per pound, and the amount paid to each person; the number of pounds of other meats purchased, and the price paid therefor; the amount, kind and cost of fuel, from whom purchased, and amount paid each person; the amount of sugar, molasses and coffee, from whom purchased, and the amount paid to each person.

In order to show the actual cost, at the penitentiary, of the articles named in Exhibit D, the freight on same should be added, from the place of purchase. As the resolution does not call for the amount of freight paid, the information is omitted.

Relative to paying interest and discount, and charging the same to the State, I have only followed the course pursued by my predecessor.

Whenever warrants were received from the Auditor on account of "maintenance of the penitentiary," or for "pay of civil officers and guards," they were presented to the Treasurer for payment; and when payment was refused, I was forced to the alternative of discounting the warrants, or borrowing money with the warrants pledged as collateral security—which ever, in my judgment, was for the best interest of the State.

During the year 1878, I drew nothing from the appropriation for "maintenance of penitentiary," and often was obliged to borrow money for a short time, paying interest on same, to meet the current expenses.

I have paid discount and interest to the Third National Bank and State Savings Association of St. Louis, and to the National Exchange Bank and Fleming & Sears (bankers) of Jefferson City, as well as some small amounts to merchants from whom goods were purchased and accounts were overdue.

Interest has been paid on the following named accounts: Maintenance of the Penitentiary, Repairs of the Penitentiary, and Pay of Civil Officers and Guards.

In response to the closing portion of the resolution, which recites "that the Warden report whether all the contractors working convict labor within the walls have been supplied with all the labor they demanded, and if not, state the reason therefor; and further state if any partiality has been shown to contractors, either by filling the orders of some in preference to others, or furnishing some contractors with long time men, or for other reasons more profitable," I have the honor to transmit herewith, marked Exhibit E, the letters from the several contractors within the walls, which fully replies to that part of the resolution, and clearly state that each and every contractor has been supplied with about as many men as they could have worked, and that no partiality has been shown to one over another.

I have the honor to be, gentlemen,

Very respectfully,

J. R. WILLIS,

Warden Missouri Penitentiary.

Which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Adams presented a remonstrance of citizens of Jackson county, against Senate bill regulating the building of barbed wire

fence ; which was read, and, on motion, referred to the Committee on Agriculture.

Mr. Waggener presented a petition from citizens of Jefferson county, demanding a modification of the present revenue law of the State, and asking that the right of redemption, within a reasonable time, of real property sold for taxes, shall be restored ; which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. Campbell of Atchison presented petitions from citizens of Atchison county, remonstrating against the passage of Senate bill regulating the building of barbed wire fence ; which were read, and, on motion, referred to the Committee on Agriculture.

Mr. Crowther presented a petition from citizens of Buchanan county, protesting against the passage of a bill, now pending before the Legislature, to compel foreign insurance companies now doing business in this State to make a deposit in bonds of the United States in the sum of \$200,000 ; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Burrows presented a petition from citizens of Mercer county, favoring township organization ; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Cloud presented petitions from citizens of Livingston county, praying the Legislature to pass a local law prohibiting the owners of swine from allowing said swine to run at large within the limits of said Livingston county ; which were read, and, on motion, referred to the Committee on Agriculture.

Mr. Campbell of Atchison presented a petition from citizens of Atchison county, representing that a bill will be presented to the Legislature for extending the time of railroad charters now about to expire, and praying that such bill may become a law ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Dryden introduced bill No. 552, entitled An act to repeal an act entitled an act concerning street railroads in the city of St. Louis, approved January 16, 1860 ; which was read the first time and laid over.

Mr. Organ introduced joint and concurrent resolution, entitled Joint and concurrent resolution in relation to the finances of the country ; which was read the first time and laid over.

Mr. Adams called up his motion to reconsider the vote by which the following resolution failed to pass March 14th :

Resolved, That the words, "in the campaign of 1876 the Burnes crowd of St. Joseph had one candidate, who was Gates, and the Mastin crowd of Kansas City another, who was Noland, the present Chief

Clerk in the Treasurer's office, and one of the most singular features of all these complicated transactions, is the fact that notwithstanding the bitter personal fight between these two men for the office, Noland should be retained in the office as Gates' head man," in the report of special committee to investigate the management and present condition of the State treasury, be stricken and expunged from the journal and records of the proceedings of this House; the motion to reconsider was agreed to.

The question recurring upon the adoption of the resolution; it was adopted.

Mr. Mott presented a petition from Samuel J. Niccolls and others of St. Louis, praying for the passage of the act pending before the House, known as the Phelan bill, prohibiting the licensing of gambling and bawdy houses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Substitute for Senate bill No. 55, entitled An act to revise and amend title 10 of the General Statutes of Missouri, relating to public records, and supplying records and papers lost or destroyed; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate bill No. 144, entitled An act to promote the science of medicine and surgery; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Leave of absence was granted Mr. Vancleve for three days.

Mr. McCormick of St. Louis city, from the special committee appointed to investigate the affairs and amount of fees received by certain officers in St. Louis, submitted the following report:

MR. SPEAKER: Your special committee appointed by resolution of the House, to investigate the income and emoluments of certain offices in the city of St. Louis, who exercise official functions by authority of State law, and to report to this House the facts elicited, with a view to proper legislation concerning the same, ask leave to submit the following facts and recommendations:

We find that the city of St. Louis, by the adoption of the scheme and charter, and the consequent abolition of its county government, transferred the functions of certain county officials to corresponding city officers, and that the fees, commissions and emoluments, collected by them under the operations of such transfer, are retained as perquisites.

The recorder of deeds forms an exception to the rule, and the duties of his office are well administered, all fees excess of his salary being turned over to the city treasury.

The city marshal. The duties of this office are ministerial, and involve no financial risks; the expenses of this office, the salaries of his deputies, and his own salary, (\$4,000), are paid by the city.

The incumbent testified that the office needed no assistance from the State, though last year there was collected in State fees \$7,600, of which he retained (\$5,000), in addition to his salary.

The city register's salary (\$3,000), and the salary of each of his clerks, and all of the contingent expenses of his office, are defrayed by the city. Last year he received \$7,100 in fees through the collector's office, which, together with his salary, and the direct income from fees in his own office, he claims as rightful perquisites.

The collector receives a salary of \$5,000 from the city, and \$5,000 from the State, his clerks and his deputies and all of his contingent expenses, aggregating about \$46,000, are paid by the municipal government.

The act passed in 1877, under which the office is managed, designed that \$10,000 should be the limit of the compensation of the incumbent, but the laxity of the said law is such that his income exceeds \$40,000 annually.

It may prove of interest to report specifically upon the management and investigation of this office.

The committee having subpoenaed Mr. Rosenblatt, required of him a sworn statement of his income from all sources, as derived through and by virtue of his office. Taking two days to consider the several questions which had been propounded, he submitted a statement to the effect that his income was in round numbers \$41,000, for the two fiscal years of his incumbency, and that about \$9,000 more was held subject to litigation by the city, but which he acknowledged due the State. He admitted, upon taking the stand, that his statement did not include about \$10,000 which he had made through a private arrangement with a notary, by which the notarial fees collected through the office, were equally divided between them; and further admitted, that in violation of and in disregard of a city ordinance, requiring him to keep a deputy to take such acknowledgments and to pay such fees into the city treasury, he collected and retained such fees as perquisites.

This was the only indirect source of revenue which the collector admitted sharing, though it was apparent that many thousands of dollars additional were being collected, which could not be traced to the city of St. Louis, and certainly not to the treasury of the State.

Interrogation of the collector soon developed the further fact that \$1.25 had been charged for the investigation of the titles of real estate

delinquents, and if several lots were included in one investigation, there was charged said sum on each lot. He frankly admitted that he collected such sums without any warrant or authority of law whatsoever, and that the charge was never enforced if an objection was urged. It was subsequently proven that there were between seven and eight thousand of these delinquents.

The collector was asked if any "divide" was made with his attorneys? He denied that there was, though it was proven that in 1878 the amount of \$272,500.00 was placed in the hands of five attorneys, and that one of them had alone nearly \$200,000.00 of delinquent tax-bills for collection, and all of the larger cases.

He was asked if he had requested an attorney to run for the Legislature as his friend, and that he would give him one-fifth of the attorney's fees of the office, and that he (the attorney) would not even be required to appear in court? He denied it, but admitted that he had offered the said attorney the position of one of his five attorneys, as an inducement to enter the General Assembly, as he was interested in the election of an United States Senator from St. Louis. A consistent story, but how a United States Senator could be made by a Republican member, was not explained.

The collector also denied any interest in his official advertisements, or that he received any rebate upon them.

Mr. Wolcott, late manager of the Dispatch, swore that under the contract, which existed with that paper, Mr. Rosenblatt received the entire proceeds from all official advertisements until a debt of that paper was cancelled, and thereafter a rebate of one-third, which was not to go to Rosenblatt, but was to be applied to the Second Congressional District for political purposes.

In this connection it was ascertained that more than double rates were charged by the newspapers for the official advertisements of the incumbent, and collected as costs against delinquent tax-payers.

The collector also denied that any rebates were made by his clerks, either to him or any one else, to his knowledge.

He testified that each of his employes received the actual amount for which they were carried on the pay-rolls of the city.

The testimony subsequently revealed that a pernicious system of rebates did exist, and that they were not only known, but were directed by the collector himself. It was shown also that he shared personally in these rebates in one instance.

It was proven, and not controverted, that one Hutzler had quit the collector's office indebted to Mr. Rosenblatt several hundred dollars, and that the security upon the note, (one A. Veil) which had been executed for such debt was placed on the municipal pay-roll at

\$150.00 per month; that the cashier of the office paid to Veil only \$100 each month, and that the remaining \$50 was each month credited to said note until it was paid, and upon the cancellation of the debt, the same clerk was placed on the pay-roll at \$100 per month. Thus it was made manifest that a sworn officer of the city and of the State, by indirection, compelled the city, whose revenues he handles, to pay a private debt due to him through the prostitution of his official patronage.

After the collector had been excused, his manner having discredited his testimony, an investigation of the books of the office under a subpoena *duces tecum* was instituted, and soon developed that the income which could be positively traced to him during a period of eighteen months and thirteen days, was \$69,585.25.

Additional thereto was the large sum, which he testified his notary received, aggregating in two years about \$10,000; all rebates on official advertisements which could not be estimated, but which Mr. Green testified were worth between \$15,000 and \$20,000 annually; and the income to one of his attorneys, which, could the delinquent tax-bills have been collected during the current year, would have amounted to between \$15,000 and \$20,000 more.

The collector's private account, as shown by the ledger, was then examined, and the said account tallied with the result of our investigation as deduced from the books, with the exception that it did not show the commissions on back-taxes:

From 1865 to 1876, inclusive.....	\$13,867 54
Twenty-five cents charged per tract on each lot for each year.....	4,947 24
Salary from city.....	7,680 00
Fees from merchants' licenses.....	2,676 25
The account as per ledger was.....	32,918 69

Making a total of.....	\$62,089 72
------------------------	-------------

Received during a period of eighteen months, to which should be added his notarial receipts, making the total as above, \$69,585.25.

When the result was announced, the collector appeared for a personal explanation.

He stated that when he was questioned as to rebates, he was thinking of something else; that he had forgotten to include his commissions or fees on the delinquent personal taxes for 1877; also same fees for taxes in 1878; as to the twenty-five cents per tract, collected under the law for the register, but which by private arrangement he received, he had not included it in his tabulated state-

ment, because the expense incident to the making of the books was between \$5,000 and \$6,000, so that a positive loss resulted to him.

In this connection it is proper to state that neither of his chief clerks knew of any expense incurred which was not paid by the city.

So much for the management and practices in vogue in this office, through which passes two-fifths of the revenue of our State.

THE CIRCUIT CLERK'S OFFICE.

This office was also investigated and found to be well conducted and its functions faithfully administered.

The office is more than self-sustaining, which results from a system of constructive fees, which should be discontinued. A filing fee of \$3.00 is charged upon each suit which is instituted, which is an injustice to litigants, and is authorized by a special or local law. The committee recommend its repeal.

As to the probate court, and the criminal clerks, we have no recommendation to offer.

The office of the Railroad Commissioners was visited and its vouchers examined. We found no cause of criticism of the management of the office.

The sheriff's office was investigated and found not to be a lucrative one. It was testified that former incumbents had left it in arrears. The present incumbent, his chief deputy and his cashier each testified that it was not self-sustaining, and that the sheriff had lost about \$5,000. The sheriff pays his own deputies and receives the surplus if any exists. Your committee recommend that the State functions now performed by the city marshal be transferred to this officer; that he be limited to a compensation, not to exceed \$10,000 per annum, which compensation shall be calculated upon a basis of an actual occupancy of the office, and that all fees received in excess of said sum, either during his incumbency or that of his successor, shall be turned over to the city of St. Louis. We would also recommend that the sheriff be required to make quarterly statements, under oath, to the comptroller of said city, of all income, fees, commissions and revenue by him collected, either directly or indirectly, from all sources. The salary is suggested, as indicated, in view of the great responsibilities of the office.

In addition to the recommendations named, the committee would urge the passage of Senate bill No. 189, with such amendments as will be suggested, which bill relates to the offices of city register, city marshal and city recorder. Also, Senate bill No. 188, with the proposed amendments, which regulates the office of the collector of St. Louis.

We also recommend that the back tax law, as affecting the compensation of attorneys, be amended. The collector and comptroller of the city of St. Louis should be empowered to take notarial acknowledgments in connection with their offices, and any charge therefor prohibited.

The fee bill of the circuit clerk's office should be reconstructed so as to eliminate all constructive costs, and the committee suggest that the law be made general.

A law should be enacted, with penalties, making advertising rebates illegal; preventing any officer of the law, attorney-at-law, administrator or person holding property in trust from profiting by such rebates, and giving the benefit of such to the party entitled thereto.

A law should also be enacted giving any aggrieved citizen a summary process, by which any justice of the peace, or any ministerial officer, State, county or municipal, may be cited to appear before any court of record, and show cause why he should not be removed from office for any malfeasance, misfeasance or oppression in office, and particularly for charging any fee not allowed by law.

Should the legislation recommended be enacted, it is calculated by the committee that the saving to litigants, merchants and taxpayers of the city of St. Louis alone will aggregate as follows:

Circuit clerk's office, to litigants.....	\$21,000
Marshal's office, to city, about.....	8,000
Register's office, to city, about.....	15,000

(which includes fees collector received last year—25 cents per tract on delinquents).

Collector's office.....	30,000
Notarial fees disallowed on dramshop and merchant licenses.	10,000
Advertising rebates.....	20,000
Attorney's fees—back taxes.....	10,000
Investigation of titles.....	5,000

Total..... \$119,000

All of which is respectfully submitted, together with the testimony which is filed herewith and a part of this report.

S. D. McCORMICK, *Chairman*,
GEO. W. HALL,
MARSHALL ARNOLD,
A. A. LESUEUR.

Which was read, and, on motion, 500 copies ordered printed.

Mr. Finks, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred House bill No. 388, entitled An act to amend part of subdivision 11 of section 1 of an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877, beg leave to report that they have considered the same and offer a substitute without recommendation; which was read.

House bill No. 388, entitled An act to amend part of subdivision 11 of section 1 of an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877; was taken up, with the substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to and ordered engrossed and printed.

Mr. Pollard introduced House bill No. 553, entitled An act to classify the railroads of this State as well as the commodities they transport; to regulate and prescribe the tariff charges thereon; to establish maximum passenger fares and to repeal an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, and to repeal all other conflicting acts or parts of acts; which was read the first time and laid over.

Mr. Pollard introduced House bill No. 554, entitled An act declaring the city of Webb, in Jasper county, a city of the fourth class; which was read the first time and laid over.

Mr. Burford introduced House bill No. 555, entitled An act requiring public schools to be taught six days in each week, and making twenty-four days a school month; which was read the first time and laid over.

Mr. Burford introduced House bill No. 556, entitled An act to encourage the capture of horse and mule thieves; which was read the first time and laid over.

Mr. Carleton introduced House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society, approved March 15, 1861; which was read the first time and laid over.

Mr. McKill introduced House bill No. 558, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening and vacating the same, and repealing all acts and parts of acts inconsistent therewith, by adding a new section thereto to be known as section 43; which was read the first time and laid over.

Leave of absence was granted Mr. Cock for four days.

Leave of absence was granted Mr. Finks for seven days.

The special order being the consideration of House bills Nos. 27, 101, 145 and 339, and the substitute therefor recommended by the Committee on Criminal Jurisprudence, entitled An act to amend an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, by adding two new sections thereto, to be known and numbered as sections No. 5 and 6; was taken up.

The question being upon agreeing to the substitute; it was not agreed to.

Mr. Gwynne moved that House bill No. 339 be engrossed and printed.

Mr. Farr offered the following amendment:

Amend section 7 so as to read as follows: "Every druggist in this State shall carefully preserve and file the prescriptions for all intoxicating liquors sold by him under provisions of section 3 of this act, and shall file all such prescriptions in the office of the clerk of the court having jurisdiction of criminal causes within and for the county in which such drug store is situated, at least ten days before the first day of each term thereof, for the inspection of the grand jury, and such court is hereby required to give especial charge of this act to each grand jury hereafter empannelled in each county in this State; which was read and agreed to.

Mr. Burrows offered the following amendment:

Amend by striking out the words "less than one gallon" in first section; which was read.

Pending consideration of which, by unanimous consent of the House,

Mr. Belch offered the following resolution:

WHEREAS, It has pleased Divine Providence to remove by death, after a long life of great honor and usefulness, the Hon. George W. Miller, late judge of the first judicial circuit, and a former eminent and worthy member of the Senate and House of Representatives, and a distinguished citizen of the State, who has filled many and various offices of trust and honor; therefore,

Resolved, That the members of the General Assembly have received with deep sorrow and regret the intelligence of the death of so eminent and useful a citizen and public servant;

Resolved, That out of respect to the memory of the deceased, and as expressive of the great public loss sustained in his death, the Senate and House now adjourn until to-morrow morning;

Resolved, That these resolutions be communicated to the family

of the deceased by the secretary of the Senate and the clerk of the House, with the expression of our earnest sympathy and condolence;

Resolved, That these resolutions be sent to the Senate, and its concurrence therein asked.

Which was read and adopted.

Whereupon the House adjourned until to-morrow morning at 9 o'clock.

SIXTIETH DAY—SATURDAY, March 22, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Knight, the further reading was dispensed with.

Leave of absence was granted Mr. Chenoweth for ten days.

Leave of absence was granted Mr. Saunders for five days.

Leave of absence was granted Mr. Lesueur for two days.

House bill No 339, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was taken up with the amendment pending at the hour of adjournment on yesterday.

By consent of the House, Mr. Burrows withdrew the pending amendment.

Mr. Wells offered the following amendment:

Amend section 1 by adding after the word "gallon" the following words: "and in no quantity to be drank upon the premises;" which was read and agreed to.

Mr. Bryan offered the following amendment:

Amend section 7 by adding the following: "Any druggist who shall fail to comply with the provisions of this section, shall be fined not less than forty, nor more than one hundred dollars;" which was read and agreed to.

Mr. Hynes offered the following amendment:

Amend section 3, lines seven and eight, by inserting after the words, "regular practicing physician," the words "other than such dealer in drugs and medicines;" which was read and not agreed to.

The question recurring upon the engrossment and printing of the bill, as amended,

The ayes and noes being demanded, and the bill was ordered engrossed and printed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hale, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lockhart, Lynn, Mabrey, Miles, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Waggener, Warren, Wells, Whitaker, Windes, Withers, Younger and Mr. Speaker—94.

NOES—Messrs. Drum, Haynes, Hall, Ham, Hammons, Hayes, Harrigan, Kendall, Lackland, Manistre, Moler, Mott, McDaniel and Swank—14.

ABSENT—Messrs. Arnold, Ballew, Dale, Louthan, Morrison, McKinney, Souder, Taylor, Tiernan, Weygandt, Wiley and Wisby—12.

ABSENT WITH LEAVE—Messrs. Bowman, Chenoweth, Chitwood, Cock, Cowan of Holt, Cox, Davis, Dawson, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of Washington, McCormick of St. Louis city, Pepper, Saunders and Vancleve—19.

SICK—Messrs. Campbell of St. Louis city, Cooper, Price and Dodson—4.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

Mr. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 279, entitled An act to amend an act entitled an act to amend chapter 98 of the General Statutes of the State of Missouri, approved February 25, 1869, concerning the selling of wine by wine growers, in which the concurrence of the House is respectfully requested; which was read.

Senate bill No. 125, entitled An act to amend sections 2, 3, 4 and 9 of an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Larimore moved to reconsider the vote by which substitute for House bill No. 388 was ordered to engrossment on yesterday; which was not agreed to.

Mr. Waggener offered the following resolution:

Resolved, That the State Auditor be and he is hereby requested to inform this House what has been the falling off in the assessments of taxable property in this State, if any, within the last two years; also, whether the State Board, can without injustice, increase the assessments, and if not increased, what the deficiency in the State revenues will be for the two ensuing years; which was read and adopted.

Mr. Mott presented a petition from citizens of St. Louis, protesting against the passage of a bill now pending before the Legislature, requiring foreign insurance companies to deposit \$200,000 in Missouri, before doing business; which was read and, on motion, referred to the Committee on Insurance.

Mr. Mott presented a petition from citizens of St. Louis, praying for the passage of an act now before the Legislature, known as the "Phelan Bill," forbidding the licensing of gaming or bawdy houses; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Anderson presented a remonstrance from citizens of this State, against the passage of the bill now before the Legislature, to compel foreign insurance companies, now doing business in this State, to make a deposit in bonds of the United States, in the sum of two hundred thousand dollars; which was read, and, on motion, referred to the Committee on Insurance.

Mr. Waggener presented a petition from the citizens of Jefferson county, demanding a modification of the present revenue law of the State, and asking that the right of redemption, within a reasonable time, of real property sold for taxes shall be restored; which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. Bonham presented a petition from citizens of Jackson, Buchanan, and other counties, praying the Legislature to submit to a vote of the people an amendment to the constitution, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Helm presented a petition from citizens of Dunklin county, praying the Legislature to submit to a vote of the people an amendment to the constitution of the State, entirely prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Windes introduced bill No. 559, entitled An act to amend an act entitled an act to amend section 52 of chapter 34 of the General Statutes of Missouri, the same being section 52 of chapter 39 of Wagner's Statutes of 1872; and also section 1 of an act entitled an act amendatory of chapter 34, title 11 of the General Statutes of the State of Missouri, approved March 24, 1868, so far as the same applies to Miller county only, the same being section 83 of chapter 39 of Wagner's Missouri Statutes of 1872, approved March 29, 1875, and to provide for an election in Miller and Camden counties, upon the proposition to strike off a portion of Miller county and to add the same to Camden county; which was read the first time and laid over.

Mr. Gwynne introduced bill No. 560, entitled An act to amend section 18 of an act entitled an act establishing probate courts, approved April 9, 1877; which was read the first time and laid over.

Mr. Talbot introduced bill No. 561, entitled An act authorizing the board of directors of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies.

Accompanying the bill is the following notice of publication as required by the Constitution:

PUBLIC NOTICE—WELLSVILLE GRAVEYARD.

All persons are hereby notified that a special bill will be presented to the next General Assembly of Missouri, for passage and adoption, the object and aim of which will be to empower and authorize the board of directors of the town of Wellsville, Montgomery county, Missouri, to take up and remove all of the dead bodies of persons now lying in the old unused graveyard in said town, and to remove all such bodies to the new town cemetery of said town, being near thereto, and to re-enter such dead bodies in such new cemetery—when and where, at Jefferson City, all persons objecting thereto are hereby warned to make their objections.

P. B. Hockaday, James Mosby, Caleb Kirk, Nelson Fike, Jacob Miller, W. H. Shackelford, J. J. Douglass, Walter McQuie, S. T. Wise, I. H. Reed.

PUBLISHER'S AFFIDAVIT.

I, A. F. Davis, publisher of the Wellsville Advertiser, a weekly newspaper published weekly, in the town of Wellsville, county of Montgomery, and State of Missouri, hereby certify that the advertisement hereto annexed was published in four consecutive issues of the above named paper. The first insertion being in No. 5 of vol. 1, dated February 20, 1879; the second in No. 6 of vol. 1, dated February 27, 1879; the third in No. 7 of vol. 1, dated March 8, 1879; the fourth in No. 8 of vol. 1, dated March 15, 1879. Printer's fees \$6.00; received of Wellsville, this 20th day of March, 1879.

A. F. DAVIS.

STATE OF MISSOURI, }
County of Montgomery. }

A. F. Davis, being duly sworn, says that the statements and allegations set forth in this certificate are true, to the best of his knowledge and belief.

This 20th day of March, 1879. My commission expires March 17, 1883.

[L. s.]

SOL. HUGHLETT, Notary Public.

Which was read the first time and laid over.

Mr. Powell introduced bill No. 562, entitled An act to amend section 22 of chapter 93 of the General Statutes of Missouri, entitled of merchants and their licenses; which was read the first time and laid over.

Mr. Patterson of Schuyler introduced bill No. 563, entitled An act in relation to judgments against railroad companies for damages, etc.; which was read the first time and laid over.

Mr. Mott introduced bill No. 564, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat, from being herded on land other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis, and in the county of St. Louis, approved April 11, 1877; which was read the first time and laid over.

Mr. Campbell of Atchison introduced bill No. 565, entitled An act to abolish the office of railroad commissioners; which was read the first time and laid over.

Mr. Brown introduced bill No. 566, entitled An act to amend chapter 204 of the General Statutes of the State of Missouri, entitled of offenses by persons in office or affecting public trusts and rights,

by adding a new section thereto, to be designated as section number 32; which was read the first time and laid over.

Mr. Hall introduced bill No. 567, entitled An act to amend section 5 of an act entitled an act for the classification of cities and towns, approved April 21, 1877; which was read the first time and laid over.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House resolution No. 23, entitled Concurrent resolution urging the passage of an act of Congress to allow the 15th and 16th regiments of Missouri cavalry volunteers a bounty, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House concurrent resolution No. 28, entitled Concurrent resolution, urging the passage of an act of Congress to allow the 15th and 16th regiments Missouri cavalry volunteers, a bounty; was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 511, entitled An act to preserve the purity of elections and prevent official corruption, beg leave to report that they have considered the same and recommend that it do pass with the amendment herewith submitted; which was read.

House bill No. 511, entitled An act to preserve the purity of elections and prevent official corruption; was taken up, with the following amendment, recommended by the Committee on Judiciary:

Amend by striking out all of section 2; which was read and agreed to.

The question being upon the engrossing and printing of the bill,

The ayes and noes were demanded, and the bill, as amended, was ordered engrossed and printed, by the following vote:

AYES—Messrs. Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Cloud, Coleman, Cook, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Johnson, Kneisley, Lackland, Louthan, Mabrey, Manistre, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Ragan, Rawlings, Reynolds, Settles, Smith of St. Louis city, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Windes and Mr. Speaker—76.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bonham, Burford, Burrows, Collins, Cowan of Christian, Dade, Ewing, Harrison, Hynes, Ingram, Knight, Larimore, Lockhart, Lynn, Miles, Palmer, Patterson of Linn, Powers, Riley, Smith of Cedar, Spring, Swank, Whitaker and Younger—29.

ABSENT—Messrs. Arnold, Carroll, Dale, Kendall, Morrison, McKinney, Pollock, Souder, Talbot, Taylor, Tiernan, Wiley, Wisby and Withers—14.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Chenoweth, Chitwood, Cock, Cowan of Holt, Cox, Davis, Dawson, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of Washington, McCormick of St. Louis city, Pepper, Saunders and Vancleve—20.

SICK—Messrs. Campbell of St. Louis city, Cooper, Price and Dodson—4.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 253, entitled An act amending section 14 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of the State of Missouri, entitled of attachments, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates in real property, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 1 for Senate bill No. 62, was taken up, and, on motion, laid over for third reading.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer and unlawful detainer, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 71, was taken up, and, on motion, laid over for a third reading.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute No. 3 for Senate bill No. 81, entitled An act to revise and amend that portion of title 42, of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 3 for Senate bill No. 81, was taken up, and, on motion, laid over for a third reading.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 202, entitled An act to appropriate money to pay J. J. C. Breazeale, the mileage and per diem due him as a member of the 26th General Assembly, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 202, was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 210, entitled An act to appropriate money for the relief of A. J. Adkins, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 210, entitled An act to appropriate money, and for the relief of A. J. Adkins; was taken up with the substitute recommended by the Committee on Claims.

The substitute was read and agreed to, and, on motion, was ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor; was taken up, and on motion, was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 78, entitled An act regulating the salaries of prosecuting attorneys, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 78, entitled An act regulating and establishing salaries and fees of prosecuting attorneys; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 64, entitled An act to regulate the compensation of judges of probate courts, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 64, entitled An act to regulate the compensation of judges of probate courts; was taken up.

On motion, the bill was made the special order for Tuesday, March 25, 1879.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes of Missouri, entitled offenses against public morals and decency, or the public police, and miscellaneous offenses, and to substitute a new section therefor, beg

leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 175 was taken up, and, on motion, laid over for third reading.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bills Nos. 153, 372 and 437, entitled respectively An act to amend an act entitled an act to regulate the inspection of petroleum oils, fluids or any product thereof sold or manufactured for illuminating purposes, approved April 24, 1870; also an act to amend section 4 of an act entitled An act to regulate the inspection of petroleum oils or fluids, or any product thereof sold or manufacture for illuminating purposes, approved March 24, 1870; also an act to regulate the inspection of petroleum oils and all products thereof, manufactured or sold for illuminating purposes in this State, beg leave to report that they have considered the same, and herewith submit a substitute, and recommend that the accompanying substitute do pass; which was read.

House bills Nos. 153, 372 and 437 were taken up, with the substitute recommended by the Committee on Criminal Jurisprudence, and, on motion, the bills and substitute were referred to the Committee on Revision.

Mr. Mott introduced bill No. 568, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat from being herded on lands other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis and in the county of St. Louis, approved April 11, 1877.

Accompanying the bill is the following notice of publication, as required by the Constitution:

IMPORTANT NOTICE.

To Whom it May Concern: Take notice that we, the undersigned householders, ten of whom are residents of the city of St. Louis, and ten of the county of St. Louis, will apply to the 30th General Assembly of the State of Missouri, for the enactment of a local or special law to restrain domestic animals of the species of horse, cattle, mule, ass, swine, sheep and goat from running at large or outside of the inclosure of the owner or owners thereof, and to provide for the herding thereof upon lands of the owner, or upon uninclosed lands in the city of St. Louis and in the county of St. Louis.

And to amend section 1 of an act entitled An act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat from being herded on land other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis and the county of St. Louis, approved April 11, 1877, by striking out of said section the words "or to be herded on land other than that of its owner, or being herded on land other than that of its owner," and by inserting in said section such words that said section, when so amended, shall not prohibit or declare unlawful the herding of such animals upon any uninclosed lands, whether the same are owned or not by the owner of such herd, in the city of St. Louis and in the county of St. Louis.

St. Louis, Mo., February 14, 1879.

Michael Ferstel, W. B. Thompson, Chas. Storbeck, Wm. Eisele, Faed Schulte, N. H. Wolpers, Jr., Christ. Méhrhoff, Samuel Lockner, John Dorn, Wm. Lochmiller, Herman Kellner, Christ. Hoffman, Wm. C. Taylor, Michael Riley, Elias Price, James Price, John Smith, E. B. Brouster, Wm. Halpin, Ferdinand Sepp, Jacob Thoby, Geo. Horn-ecker, Michael McNamee, A. Lambach, Simon Nelligan, Robt. H. Early, John King, T. Tobein, Chas. Martin and Wm. Rundel.

STATE OF MISSOURI, }
COUNTY OF ST. LOUIS, } ss.

Personally appeared before me the undersigned, a notary public within and for the county of St. Louis, commission expires January 14, 1883, A. G. White, who, being duly sworn, deposeth and sayeth that the annexed advertisement was published in the Weekly Mail, a newspaper published within said county and State, of which he is one of the publishers, for four times, the first insertion being on the 20th day of February, 1879, and the last insertion on the 13th day of March, 1879, as follows: First time, February 20th; second time, February 27th; third time, March 6th; fourth time, March 13th. Printer's fee, \$15; affidavit, 50 cents.

A. G. WHITE.

Sworn and subscribed to before me, this 18th day of March, 1879.

WADE HAMPTON STEEL,

Notary Public.

To Whom it May Concern: Take notice that we, the undersigned householders, ten of whom are residents of the city of St. Louis, and ten of the county of St. Louis, will apply to the 30th General Assembly of the State of Missouri, for the enactment of a local or special law to restrain domestic animals, consisting of the species of horse, cattle, mule, ass, swine, sheep or goat, from running at large or outside of the enclosure of the owner or owners thereof, and to provide

for the herding thereof on lands of the owner, or upon unenclosed lands in the city of St. Louis and in the county of St. Louis.

And to amend section 1 of an act entitled An act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat from being herded on land other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis and in the county of St. Louis, approved April 11, 1877, by striking out of said section the words "or be herded on land other than that of its owner, or being herded on land other than that of its owner," and by inserting in said section such words that said section shall not prohibit or declare unlawful the herding of such animals upon any uninclosed lands, whether the same are owned or not by the owner of such herd, in the city of St. Louis and in the county of St. Louis:

Michael Forestel, William B. Thompson, Chas. Storbeck, Fred. Schulte, Christ. Merhoff, Robert H. Early, T. Tobin, Chas. Martin, Wm. Rundell, Wm. C. Taylor, Elias Price, John Smith, Will Halpin, Geo. Hornecke, Michael McNamee, Wm. Eisle, W. H. Walpers, Jr., Simon Nelligan, John King, Samuel Lackner, John Dorn, William Lackmiller, Michael Riley, James Price, E. B. Brouster, Ferdinand Sepp, Jacob Thoby and A. Lambach.

St. Louis, Mo., February 19, 1879.

STATE OF MISSOURI, }
CITY OF ST. LOUIS, } ss.

Personally appeared before me, the undersigned, a notary public within and for the city of St. Louis, B. M. Chambers, who, being duly sworn, deposeth and sayeth that the annexed advertisement was published in the St. Louis Times Journal, printed within the said city and State, the newspaper of which he is the publisher, for four times, the first insertion being on the 19th day of February, 1879, and the last insertion on the 20th day of March, 1879, as follows: First time, February 19th; second time, February 20th; third time, March 19th fourth time, March 20th.

B. M. CHAMBERS.

Sworn to and subscribed before me, this 20th day of March, 1879:

{ SEAL. }

JAS. W. ALLEN,

Notary Public.

Qualified August 10, 1877. Term expires August 3, 1881.

House bill No. 543, entitled An act to amend section 1, chapter 68 of Wagner's Statutes of Missouri, concerning homesteads; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and the Chief Clerk of the House of Representatives; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 545, entitled An act to authorize counties which adopted the township organization law, when the same was in force, to provide for the payment of the debts of such townships as left debts unpaid when said law was repealed; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 546, entitled An act defining the jurisdiction of common pleas courts; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 547, entitled An act to relieve the financial wants of the State; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 548, entitled An act to authorize the collection of fines and costs from saloon and dramshop keepers; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 549, entitled An act to amend section 5 of chapter 214 of the General Statutes, being section 5 of article 7 of Wagner's Statutes, entitled of the verdict and judgment and proceedings thereon; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 550, entitled An act to provide for the redemption of real estate sold under foreclosure of mortgage, deed of trust or execution, and to repeal all acts and parts of acts inconsistent herewith; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 551, entitled An act to amend an act entitled an act to amend an act entitled an act to regulate the inspection of petroleum oils or fluids, or any product thereof, sold or manufactured for illuminating purposes, approved ——— 24, 1870, act approved March 20, 1877, and provide penalties for violation thereof; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 552, entitled An act to repeal an act entitled an act concerning street railroads in the city of St. Louis, approved January 16, 1860; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 553, entitled An act to classify the railroads of this State, as well as the commodities they transport, to regulate and prescribe the tariff of charges thereon, to establish maximum pas-

senger fare, and to repeal an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and prescribe their power and duties, approved March 29, 1875, and to repeal all other conflicting acts or parts of acts; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 554, entitled An act declaring the city of Webb, Jasper county, Missouri, to have been lawfully incorporated a city of the 4th class, February 28, 1878; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 555, entitled An act requiring public schools to be taught six days in each week, and making twenty-four days a school month; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 556, entitled An act to encourage the capture of horse and mule thieves; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society, approved March 15, 1861; was called up, read the second time, and, on motion, referred to the Committee on Local Bills.

House bill No. 558, entitled An act to amend an act in relation to roads and highways, providing for establishing, opening and vacating the same, and repealing all acts and parts of acts inconsistent therewith, by adding a new section thereto, to be known as section 43; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House concurrent resolution No. 44, entitled Joint and concurrent resolution in relation to the finances of the country; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Senate substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State and other persons from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 25 for Senate bill No. 52, entitled An act to revise and amend chapter 157 of the General Statutes of the State of Missouri, concerning quo warranto; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 27 for Senate bill No. 52, entitled An act to revise and amend chapter 159 of the General Statutes of the State of Missouri, concerning judgments; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 23 for Senate bill No. 52, entitled An act to revise and amend chapter 155 of the General Statutes of the State of Missouri, concerning habeas corpus; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 22 for Senate bill No. 52, entitled An act to revise and amend chapter 154 of the General Statutes of the State of Missouri, concerning trusts and trustees; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 6 for Senate bill No. 52, entitled An act to revise and amend chapter 138 of the General Statutes of the State of Missouri, concerning common law; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 24 for Senate bill No. 52, entitled An act to revise and amend chapter 156 of the General Statutes of the State of Missouri, concerning mandamus; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bills Nos. 74 and 212, entitled An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning saline, State and seminary lands; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173 of the General Statutes of the State of Missouri, concerning costs in civil cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106 of the General Statutes of the State of Missouri, concerning frauds and perjuries; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate joint and concurrent resolution No. 4, entitled Joint and concurrent resolution requesting Senators and Representatives in Congress to vote for and use all means in their representative capacity to establish an efficient and stable government in the Indian Territory; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Mr. Belch arose to a question of privilege, and stated that in the official proceedings of the 21st instant, published in the Tribune of this city, he was reported as saying that Asylum No. 2, at St. Joseph, was not properly cared for. He did not use such language, nor had he any intention of conveying such meaning, and wanted to be placed right upon the record.

On motion of Mr. Brady, the House adjourned until Monday morning at 9 o'clock.

SIXTY-FIRST DAY—MONDAY, March 24, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when

On motion of Mr. Burrows, the further reading was dispensed with.

Mr. Patterson of Linn introduced a concurrent resolution, entitled Concurrent resolution memorializing Congress, etc.; which was read the first time and laid over.

Mr. Patterson of Linn presented a petition from citizens of Linn county, praying the Legislature to re-enact the township organization law; which was read, and, on motion, referred to the Committee on Township Organization.

Mr. Windes introduced bill No. 569, entitled An act to facilitate the collection of taxes due upon personal property; which was read the first time and laid over.

Mr. Mabrey introduced bill No. 570, entitled An act to amend section 9 of chapter 124 of the General Statutes of Missouri, entitled of

settlements of the accounts of executors and administrators; which was read the first time and laid over.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted House joint and concurrent resolution in relation to Gen. James Shields; which was read.

Mr. Powers introduced bill No. 571, entitled An act to appropriate money to pay for wolf-scalps; which was read the first time and laid over.

Mr. Harrigan introduced bill No. 572, entitled An act to amend section 32 of chapter 189 of the General Statutes of the State of Missouri, entitled of landlords and tenants; which was read the first time and laid over.

Mr. Chilton introduced bill No. 573, entitled An act to amend sections 29 and 58, chapter 118 of Wagner's Missouri Statutes, entitled revenue; which was read the first time and laid over.

Mr. Chilton introduced bill No. 574, entitled An act establishing reasonable maximum rates of charges for the transportation of passengers and freight on railroads, and providing adequate penalties to enforce the same, and repealing an act approved March 29, 1875, entitled An act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties; which was read the first time and laid over.

Mr. Pollard introduced bill No. 575, entitled An act to provide for reducing the cost of education in this State; which was read the first time and laid over.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 408, entitled An act to appropriate money for the payment of Daniel Baldrige of Sullivan county, for outstanding Union military bonds, and the interest thereon, beg leave to report that they have considered the same and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 408, entitled An act to appropriate money for the payment of Daniel Baldrige of Sullivan county, for outstanding Union military bonds, and the interest thereon; was taken up, with the substitute recommended by the Committee on Claims.

The substitute was read and agreed to.

The question being upon the engrossment and printing of the bill.

The ayes and noes were demanded, and the bill was ordered engrossed and printed by the following vote :

AYES—Messrs. Anderson, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Carleton, Coleman, Collins, Cowan of Holt, Craig, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Hubbard, Helm, Kendall, Lackland, Lockhart, Mabrey, Manistre, Miles, Moler, Mott, Mudd of Lincoln, McDaniel, McElvain, McGarry, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Turner, Warren, Wells, Weygandt, Windes and Mr. Speaker—69.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Bonham, Brown, Campbell of Atchison, Cloud, Cook, Cowan of Christian, Creager, Dade, Gray, Ham, Harrison, Hynes, Ingram, Knight, Lynn, McKill, McKinney, Powell, Swank, Whitaker, Withers and Younger—28.

ABSENT—Messrs. Bashaw, Brady, Carroll, Chilton, Ewing, Hall, Harrigan, Harrington, Johnson, Kneisley, Larimore, Louthan, Mudd of St. Louis, O'Malley, Pollard, Riley, Smith of Cedar, Talbot, Taylor, Tiernan, Waggener, Wiley and Wisby —23.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cock, Cox, Davis, Dawson, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of Washington, McCormick of St. Louis city, McIntyre, Pepper, Saunders and Vancleve —19.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson and Morrison—4.

On motion of Mr. Dryden, Senate substitute for Senate bill No. 59, was recommitted to the Joint Committee on Revision.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
March 24, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives :

SIR : I return to the House, with my approval indorsed thereon, bills of the following title :

An act to provide for the correcting and perfecting of the laws of this State ; joint resolution respecting the sale of leaf tobacco.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Morrison was reported sick.

Substitute for House bill No. 144, entitled An act to authorize counties for themselves, and in behalf of townships therein, and cities and towns to compromise and redeem or fund their debts; was called up.

Mr. wells offered the following amendment:

Amend section 1 by inserting after the word "townships," in lines 2, 8 and 14 of the printed bill, the following words, "or parts of townships;" which was read and agreed to.

Mr. Wells offered the following amendment:

Amend sections 2 and 3 by inserting after the word "township," in lines 2, 8 and 9 of the printed bill the following words, "or parts of townships;" which was read and agreed to.

Mr. Wells offered the following amendment:

Amend sections 6 by inserting after the word "townships," in lines 2 and 3 of the printed bill, the following words, "or parts of townships;" which was read and agreed to.

Mr. Lackland offered the following amendment:

Amend section 6 by inserting the word "voting," after the word "town," in the third line of section 6 of printed bill; which was read and not agreed to.

Mr. Farr offered the following amendment:

Amend section 6 by inserting after the word "the," in line 3, the words, "legally qualified;" which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 3 by striking out the words, "as is," and the words, "or may hereafter be," in the 6th line of printed bill; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 3 by striking out the words, "other taxes," in the 7th line of said section, as per printed copy thereof, and insert in lieu thereof, the words, "taxes other than the State tax, the tax necessary to pay the funded or bonded debt of the State, the tax for current county expenditures, and for schools;" which was read and agreed to.

Mr. Lackland offered the following amendment:

Amend section 6 by inserting the word, "voting," after the words, "legally qualified voters," in line 3; which was read and not agreed to.

Mr. Tevis offered the following amendment:

Amend by adding a new section, as follows; "Section 8. That an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12th, 1877, be and the same is hereby repealed;" which was read and not agreed to.

Mr. Dale moved that the bill as amended, be referred to the Committee on Ways and Means; which was agreed to.

The Speaker laid before the House the following communication from Hon. Thomas Holladay, State Auditor :

AUDITOR'S OFFICE,
JEFFERSON CITY, March 24, 1879. }

Hon. J. ED. BELCH, Speaker of the House of Representatives :

SIR: In answer to House resolution of 22nd inst., "That the State Auditor be and he is hereby requested to inform this House what has been the falling off in the assessment of taxable property in this State, if any, within the last two years ;

Also, whether the State Board can, without injustice, increase the assessment, and if not increased, what the deficiency in the State revenue will be for the ensuing two years," I have the honor to say the aggregate amount returned by the county assessors for the year 1877 was \$556,568,824, and that the State Board, in its adjustment and equalization, increased the same to \$584,719,175, making an increase of \$28,150,351.

The aggregate amount returned for 1879, as shown by the printed abstract heretofore published, is \$509,629,424, with the counties of Boone, Cape Girardeau, Douglas, Miller, Mississippi, New Madrid and Taney not reported. The total assessment of these counties two years ago was \$14,353,369.

If estimated at the same amount now, (and they are likely to fall below, as the general shrinkage has doubtless affected them,) the aggregate assessment for 1879 will be \$523,982,773, as returned by the assessors.

Deduct this amount from \$584,719,175, as fixed by the Board for 1877, and there will be a falling off of \$60,736,402.

It will be observed by comparing the assessment for 1877, viz: \$556,568,824, with those of 1879, to-wit: \$523,982,773 as above estimated, there has been a decrease of \$32,586,051, to say nothing of the increase of \$28,150,351, as made by the State Board of Equalization in 1877.

From the testimony of honorable Senators, members and others, so far elicited by the Board, it would seem that there could not be, in a proper equalization, an increase exceeding \$10,000,000, if that much, without grievous injustice to taxpayers.

If the amount of increase should not reach higher than \$10,000,000, there will remain a falling off of \$50,000,000, as compared with the equalization of two years ago, which will make a reduction in the State revenue of \$200,000 per annum on general property, or \$400,000 in these two years.

It requires a valuation of \$300,000,000 on general and railroad property to meet the demands of the State, and if the valuation falls off \$50,000,000, leaving only \$550,000,000, the treasury will be greatly embarrassed.

I may be permitted to remark that this decrease of revenues might be partly overcome by legislation, such as would increase licenses, effectually reach bonds, notes and money, and if possible, decrease expenses.

I have the honor to be,

Very respectfully,

THOS. HOLLADAY,

State Auditor.

Which was read, and, on motion, 500 copies ordered printed.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in House amendments to Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15, of the General Statutes, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; which was read.

Senate bill No. 84, entitled An act to revise and amend title 7, chapter 15, of the General Statutes of the State of Missouri, concerning the State library, and repealing all acts and parts of acts inconsistent with this act; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and the Chief Clerk of the House of Representatives, beg leave to report that they have considered the same and recommend that it do pass, with the amendment herewith submitted; which was read.

House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate, and Chief Clerk of the House of Representatives; was taken up, with the following amendment recommended by the Committee on Judiciary;

Strike out section 2, and insert in lieu thereof, the following: "Section 2. The fact there is no statute in force fixing the compensation of the above mentioned officers, is hereby declared to constitute an emergency requiring this act to take effect immediately, therefore

it shall take effect and be in force from and after its passage;" which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 404, entitled An act to amend section 50, of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 404, entitled An act to amend section 50 of an act entitled an act dividing the State into judicial circuits and prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877; was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate bill No. 182, entitled An act to amend an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14th, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 182, entitled An act to amend section 2 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14th, 1877; was taken up, and on motion, the bill was laid over for a third reading.

Mr. Cowan, of Holt, from the Committee on Benevolent and Scientific and Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 185, entitled An act to amend an act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, and to repeal all former acts in relation thereto, approved April 28th, 1877, beg leave to report that they have considered the same, and report the accompanying substitute without recommendation: which was read.

House bill No. 185, entitled An act to amend an act entitled an

act to regulate the practice of medicine and surgery in the State of Missouri, and to repeal all acts in relation thereto, approved April 28, 1877; was taken up, with the substitute reported by the Committee on Benevolent and Scientific Institutions, without recommendation.

On motion of Mr. Foster, the bill and substitute were laid on the table.

Mr. Gwynne, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignments, and to amend said chapter by adding thereto new sections, numbered 42, 43, 44, 45 and 46, beg leave to report that they have considered the same, and with the amendments herewith submitted, report it to the House without recommendation; which was read.

Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignments, and to amend said chapter by adding thereto new sections, numbered 42, 43, 44, 45 and 46; was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend by striking out section 2, and inserting the following in lieu thereof: "Section 2, section 17, of said chapter, is hereby repealed;" which was read and agreed to.

Amendment No. 2—Amend section 3 by inserting after the word "interest" in the sixth line of said section of written bill, the following words, "when any court of record may lawfully be held;" which was read and agreed to.

Amendment No. 3—Amend by striking out the word "three" in the eleventh line of section 4 and insert in lieu thereof, the word "one;" which was read and agreed to.

Amendment No. 4—Amend section 46 by adding thereto the following: Provided, that any creditor may appear and file his objections to the report of such assignee at any time within three days after the filing of such report, if the term shall so long continue, and if the term shall not so long continue, then within such time as the court shall direct, and such report shall not be acted upon until the expiration of the time within which such objection might be filed; when no objections are filed, when such objections may be filed, no action shall be had on such report until such objections are heard and determined, and either party may appeal from the decision of

the court upon such objections as in other civil cases; which was read and agreed to.

On motion, the bill as amended was laid over for a third reading. Mr. Price offered the following resolution:

Resolved, That the Adjutant-General be requested to fire a salute of three guns, upon the arrival of the old hero of the Mexican war, in this city; which was read and adopted.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers for boarding prisoners, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 495, entitled An act concerning the fees paid sheriffs; marshals and other officers for boarding prisoners; was taken up, and, on motion, the bill was ordered engrossed and printed.

Leave of absence was granted Mr. Ewing for one day.

Leave of absence was granted Mr. Lesueur for one day.

Leave of absence was granted Mr. Wiley for one day.

Mr. Tiernan was reported sick.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed Senate substitute for House bill No. 191, entitled An act to repeal sections 6, 7 and 8 of an act entitled an act in relation to the Social Evil Hospital and House of Industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874.

Also, House bill No. 65, entitled An act to repeal an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877.

Also, House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863; which was read.

Mr. Bryan introduced bill No. 576, entitled An act to prohibit the discharge of fire-arms in the immediate vicinity of any court house, church, or building used for school or college purposes; which was read the first time and laid over.

Mr. Harrington introduced bill No. 577, entitled An act in relation to attorneys at law; which was read the first time and laid over.

Mr. Warren introduced bill No. 578, entitled An act for the relief of Andrew J. Curnut; which was read the first time and laid over.

Mr. Warren introduced bill No. 579, entitled An act for the relief of the heirs of William Riggins, deceased; which was read the first time and laid over.

Senate bill No. 27, entitled An act to authorize railroad companies to recover from the Pullman Palace Car Company any taxes hereafter paid on Pullman Palace Cars, hired or leased from said company, under the railroad assessment and collection laws of the State; was taken up.

Mr. McIntyre offered the following amendment:

Amend in line 3, section 2, by striking out the words "said Pullman Palace Car Companies or its agents," and inserting in lieu thereof the words "any such company, its agents or persons owning such cars;" which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Manistre, Mott, Mudd of Lincoln, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—100.

NOES—Messrs. Gray and Hynes—2.

ABSENT—Messrs. Bashaw, Berry, Boulware, Brady, Burford, Carroll, Kneisley, Larimore, Miles, Moler, Mudd of St. Louis, O'Malley, Rawlings, Souder, Talbot, Taylor, Wisby and Younger—18.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cock, Cox, Ewing, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of Washington, McCormick of St. Louis city, Pepper, Saunders, Vancleve and Wiley—18.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

The title of the bill, as amended, was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Davis, the House adjourned until to morrow morning at 9 o'clock.

SIXTY-SECOND DAY—TUESDAY, March 25, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Bonham offered the following resolution :

Resolved, That the Chairman of the Committee on Constitutional Amendments, report back to the House concurrent resolution No. 19, submitting to a vote of the people an amendment to the Constitution, prohibiting the sale or manufacture of intoxicating liquors in the State of Missouri; which was read and adopted.

Mr. Turner offered the following resolution :

Resolved, That all the revised bills now before the House, be taken up and passed, and the revised bills hereafter take the preference, so as to expedite the work of revision; which was read and adopted.

Mr. Burrows offered the following resolution :

WHEREAS, There are less than forty working days left of the time allowed by the Constitution for revising the Statutes; and,

WHEREAS, That work has been neglected by the House so far, save the work that has been performed by the joint committee, and it is expedient that this House go to work at once upon this most important duty; therefore,

Resolved, That from and after March 25, that the afternoon session, when there is such of Mondays, Wednesdays and Fridays, be used exclusively to the consideration of revised bills on first, second and third readings; which was read and adopted.

Mr. Dale offered the following resolution :

WHEREAS, The 13th section of the 9th article of the Constitution of this State forbids any executive or ministerial officer of any municipality or county of this State to receive, exclusive of salaries actually paid to his necessary deputies, a sum exceeding ten thousand dollars in any one year, and requiring them to make quarterly returns of fees, etc.; and,

WHEREAS, It is stated by public papers, and shown by a committee of this House, that officers of the city of St. Louis received in excess of ten thousand dollars for their services in one year; therefore,

Resolved, That the Judiciary Committee of this House prepare a bill limiting the salaries and fees of officers of this State, and by proper declarations, guards, limitations and penalties, enforce such provision of the Constitution, and to fix the salaries and fees so that extravagant salaries and fees in such cases shall not be allowed; which was read and adopted.

Mr. Harrington offered the following resolution:

Resolved, That it is the sense of this House that the business of revising and promulgating the Statutes should be pushed to a speedy termination, regardless of what compensation the members shall receive for their services; which was read.

The ayes and noes being demanded, the resolution was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Helm, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Younger—103.

ABSENT—Messrs. Booth, Campbell of Atchison, Chilton, Dale, Davis, Dawson, Dryden, Foster, Gwynne, Hall, Harrigan, McDaniel, McIntyre, Pehle, Pollock, Pollard, Wisby and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of St. Louis city and Vancleve—12.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

Mr. Mudd of St. Louis introduced bill No. 580, entitled An act to amend sections 1 and 2 of chapter 139 of Wagner's Statutes, entitled trusts and trustees; which was read the first time and laid over.

Mr. Wiley introduced bill No. 581, entitled An act amending section 33 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and Chief Clerk of the House of Representatives, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and to repeal all laws inconsistent therewith, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 385, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865, of executions, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House Bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of error in civil cases, and concerning practice in the Supreme Court, and repealing

chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172 of title 34 of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 31 of article 13 of chapter 110 of Wagner's Statutes of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 335, entitled An act classifying property for the purposes of taxation, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 169, entitled An act concerning the duties of sheriffs and constables in the State of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 424, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Pollard introduced bill No. 582, entitled An act to amend an act entitled an act to provide for the registering and licensing of dogs; which was read the first time and laid over.

Mr. Spring, from the Special Committee on Judicial Districts, submitted the following report:

MR. SPEAKER: Your committee to whom was referred the re-districting of the State into judicial circuits, with a view to reducing the number of said circuits, have, after due investigation in regard to the labor devolving upon circuit judges; determined that the State may, without detriment to the public service, be divided into twenty-

three districts, instead of twenty-nine, as now divided, and therefore, recommend such division; which was read.

Mr. Taylor presented a petition from citizens of St. Louis county, demanding a modification of the present revenue law of the State, and asking that the right of redemption, within a reasonable time, of real property sold for taxes, shall be restored; which was read, and, on motion, referred to the Committee on Ways and Means.

House bill No. 559, entitled An act to amend an act entitled an act to amend section 52 of chapter 34 of the General Statutes of Missouri, the same being section 52 of chapter 39 of Wagner's Statutes of 1872; and, also section 1 of an act entitled an act amendatory of chapter 34, title 11 of the General Statutes of the State of Missouri, approved March 24, 1868, so far as the same applies to Miller county only, the same being section 83 of chapter 390 of Wagner's Missouri Statutes of 1872, approved March 29, 1875; and to provide for an election in Miller and Camden counties, upon the proposition to strike off a portion of Miller county, and to add the same to Camden county; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

House bill No. 560, entitled An act to amend section 18 of an act entitled an act establishing probate courts, approved April 9, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 561, entitled An act authorizing the board of directors of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 562, entitled An act to amend section 22 of chapter 93 of the General Statutes of Missouri, entitled of merchants and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 563, entitled An act relating to judgments against railroad companies for damages, etc.; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 564, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat, from being herded on land other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis, and in the county of St. Louis, approved April 11, 1867; was called up, read the second time, and, on motion, referred to the Committee on St. Louis Delegation.

House bill No. 565, entitled An act to abolish the office of railroad commissioners; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 566 entitled An act to amend chapter 204 of the General Statutes of the State of Missouri, entitled offenses by persons in office, or affecting public trusts and rights, by adding a new section thereto, to be designated as section number 32; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 567, entitled An act to amend section 5 of an act entitled an act for the classification of cities and towns, approved April 21, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 568, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat, from being herded on land other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis, and in the county of St. Louis, approved April 11, 1879; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 569, entitled An act to facilitate the collection of taxes due upon personal property; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 570, entitled An act to amend section 9 of chapter 124 of the General Statutes of Missouri, entitled of settlements of the accounts of executors and administrators; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 571, entitled An act to appropriate money to pay for wolf scalps; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 572, entitled An act to amend section 32 of chapter 189 of the General Statutes of the State of Missouri, entitled of landlords and tenants; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 573, entitled An act to amend sections 29 and 58 of chapter 118 of Wagner's Missouri Statutes, entitled revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 574, entitled An act establishing reasonable maximum rates of charges for the transportation of passengers and freight on railroads, and providing adequate penalties to enforce the same,

and repealing an act approved March 29, 1875, entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties; was called up, read the second time, and, on motion, referred to Committee on Ways and Means.

House bill No. 575, entitled An act to reduce the price of education in this State; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 576, entitled An act to prohibit the discharge of fire-arms in the immediate vicinity of any court house, church, or buildings used for school or college purposes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 577, entitled An act in relation to attorneys-at-law; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 578, entitled An act for the relief of Andrew J. Curnut; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 579, entitled An act for the relief of the heirs of Wm. Riggins; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House concurrent resolution No. 45, entitled Concurrent resolution, memorializing Congress, etc.; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Substitute for House bill No. 253, entitled An act amending section 54 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, and the House refused to order it to a third reading.

Senate substitute for House bill No. 191, entitled An act to repeal sections 6, 7 and 8 of an act entitled an act in relation to the Social Evil Hospital and House of Industry, in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874; was taken up, and, on motion, ordered printed.

House bill No. 342, entitled An act to amend section 42 of chapter 141 of the General Statutes of the State of Missouri, entitled of attachments; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carroll, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Christian, Craig,

Creager, Crow, Crowther, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Gray, Greer, Hayes, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Manistre, Mott, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—94.

NOES—Messrs. Brown, Dade, Ingram, Mudd of St. Louis, McElvain and McKinney—6.

ABSENT—Messrs. Beckner, Booth, Carleton, Collins, Cowan of Holt, Dale, Davis, Dawson, Diercks, Foster, Gwynne, Hall, Haynes, Hynes, Miles, Moler, Mudd of Lincoln, Pehle, Phelan, Saunders, Windes, Wisby and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Dryden, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McDaniel, McCormick of St. Louis city, McIntyre and Vancleve—15.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Campbell of Atchison moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 180, entitled An act to amend an act entitled of husband and wife and the rights of married women, being chapter 115 of the General Statutes of Missouri of 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 180, entitled An act to amend an act entitled of husband and wife and the rights of married women, being chapter 115 of the General Statutes of Missouri of 1865; was taken up, and, on motion, was laid over for a third reading.

The special order being the consideration of substitute for House bills Nos. 2 and 20, entitled An act to regulate the rate of interest; was taken up.

Mr. McIntyre moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Booth, Boulware, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hale, Hall, Ham, Harrigan, Harrison, Helm, Ingram, Kendall, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Weygandt and Windes—69.

NOES—Messrs. Adams, Alldridge, Andrews, Anderson, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brown, Burford, Chilton, Cloud, Cock, Craig, Dade, Dale, Gray, Hayes, Haynes, Hynes, Hammons, Johnson, Knight, McElvain, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pepper, Powell, Rawlings, Reynolds, Saunders, Smith of Cedar, Taylor, Tevis, Warren, Wells, Whitaker, Wiley, Withers and Younger—48.

ABSENT—Messrs. Brady, Coleman, Dawson, Foster, Hubbard, Pehle, Pollock, Wisby and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of St. Louis city and Vancleve—12.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 138, entitled An act directing the State Board of Assessment and Equalization to assess, adjust and equalize the railroad property of the State of Missouri, from the first day of February, 1873, to the first of August, 1873, and to direct and enforce the collection of taxes thereon, and have adopted the emergency clause thereto.

Also, that there has been introduced into and passed the Senate, substitute for Senate bills Nos. 127 and 146, entitled An act to appropriate money for the payment of Winfield S. Thompson, John L. Hern- don and Mrs. Kate C. Mitchell, for outstanding Union military bonds.

Also, Senate bill No. 147, entitled An act to repeal chapter 118 of the General Statutes of Missouri, entitled of colored apprentices.

Also, Senate bill No. 235, entitled An act to establish a Board of Im- migration, and to prescribe the powers and duties thereof and to repeal

chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto, and have adopted the emergency clause thereto; in which the House is respectfully requested to concur; which was read.

Senate bill No. 12, entitled An act regulating interest of money, was called up, with the following pending amendment: Amend by striking out the word "eight," in the second line of the second section, and inserting the word "six" in lieu thereof; which was read and not agreed to.

Mr. Dryden offered the following amendment:

Amend by striking out "eight," in line two of section 2 and insert in lieu thereof "seven," which was read and not agreed to.

Mr. Harrington offered the following amendment:

Amend by inserting "that the school funds of this State be excepted from the effect of this bill;" which was read.

Mr. Powell moved the previous question.

The question being, shall the main question now be put, the ayes and noes were demanded, and the motion did not prevail by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Boulware, Brown, Burford, Burrows, Carleton, Cloud, Collins, Cook, Craig, Creager, Dale, Diercks, Dougherty, Ewing, Gray, Hale, Harrison, Hynes, Ingram, Kneisley, Knight, Larimore, Lockhart, Lynn, Mabrey, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, McKinnèy, Patterson of Linn, Patterson of Schuyler, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Whitaker, Withers and Younger—62.

NOES—Messrs. Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Campbell of Atchison, Carroll, Chilton, Cock, Cowan of Christian, Cowan of Holt, Crow, Crowther, Dade, Davis, Dilley, Drum, Dryden, Ellis, Farr, Foster, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Johnson, Kendall, Lackland, Louthan, Manistre, Mott, McDaniel, McGarry, O'Malley, Organ, Palmer, Pepper, Phelan, Pollock, Pollard, Ragan, Saunders, Smith of St. Louis city, Swank, Weygandt, Wiley and Windes—55.

ABSENT—Messrs. Brady, Coleman, Dawson, Mudd of St. Louis, Pehle, Souder, Waggener, Wisby and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of St. Louis city and Vancleve—12.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

Mr. Dale moved that debate close upon the pending amendment ; which was agreed to.

The question recurring upon the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote :

AYES—Messrs. Berryman, Brady, Bonham, Bowman, Brewer, Bryan, Campbell of Atchison, Carroll, Chilton, Cowan of Holt, Craig, Crow, Davis, Drum, Dryden, Ellis, Farr, Foster, Freed, Gwynne, Hall, Ham, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Mabrey, Manistre, Miles, Mott, McDaniel, McGarry, O'Malley, Organ, Phelan, Pollock, Pollard, Ragan, Saunders, Smith of St. Louis city, Swank, Tevis, Wells, Weygandt and Windes—48.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brown, Burford, Burrows, Carleton, Cloud, Collins, Cook, Cowan of Christian, Creager, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ewing, Gray, Greer, Hayes, Hynes, Hale, Hammons, Harrison, Ingram, Johnson, Kneisley, Knight, Larimore, Lockhart, Lynn, Moler, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKinney, Mudd of Lincoln, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Spring, Talbot, Taylor, Turner, Warren, Whitaker, Wiley, Withers and Younger—70.

ABSENT—Messrs. Cock, Coleman, Dawson, Louthan, McKill, Pehle, Wisby, Waggener and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Mackey, Mahn, Lesueur, Maynard, McCormick of St. Louis city and Vancleve—11.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison and Tiernan—5.

Mr. Foster offered the following amendment :

Amend by striking out all of section 6 after the word "jurisdiction" in line 4 ; which was read and not agreed to.

Mr. Dryden offered the following amendment :

Amend section 2 by adding : " Provided, that interest not exceeding ten per cent. may, by agreement of parties, be reserved upon all notes and bills, not to run exceeding one hundred and twenty days, made or drawn for the purpose of raising money in any bank or banking institution ; which was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Berryman, Bowman, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chilton, Cowan of Holt, Crow, Davis, Dilley, Dougherty, Drum, Dryden, Foster, Hayes, Hall, Ham, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Louthan, Lynn, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McGarry, O'Malley, Palmer, Phelan, Pollock, Pollard, Ragan, Riley, Saunders, Souder, Smith of St. Louis city, Swank, Taylor, Waggener, Wells, Weygandt and Wiley—50.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brown, Burford, Campbell of Atchison, Cloud, Collins, Cook, Cowan of Christian, Craig, Creager, Crowther, Dade, Dale, Diercks, Ellis, Ewing, Farr, Gray, Greer, Hale, Hammons, Harrison, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lockhart, Mabrey, Manistre, Miles, Moler, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Organ, Patterson of Linn, Pepper, Powell, Powers, Price, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Warren, Whitaker, Windes, Withers and Younger—66.

ABSENT—Messrs. Cock, Coleman, Dawson, Gwynne, Patterson of Schuyler, Settles, Tevis, Wisby and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Freed, Lesueur, Mackey, Mahn, Maynard, McCormick of St. Louis city and Vancleve—12.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Pehle and Tiernan—6.

Th bill was then read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brown, Burford, Burrows, Campbell of Atchison, Carleton, Cloud, Collins, Cook, Cowan of Christian, Craig, Creager, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ewing, Farr, Gray, Hale, Hammons, Harrison, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lockhart, Lynn, Mabrey, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Pepper, Powell, Powers, Price, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Talbot, Taylor, Turner, Warren, Whitaker, Wiley, Windes, Withers and Younger—70.

NOES—Messrs. Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Carroll, Chilton, Cowan of Holt, Crow, Davis, Drum, Dryden,

Ellis, Foster, Greer, Gwynne, Hayes, Hall, Ham, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Louthan, Manistre, Mott, McDaniel, McGarry, O'Malley, Organ, Palmer, Patterson of Linn, Phelan, Pollock, Pollard, Ragan, Saunders, Souder, Smith of St. Louis city, Swank, Waggener, Wells and Weygandt—47.

ABSENT—Messrs. Cock, Coleman, Dawson, Freed, Patterson of Schuyler, Settles, Tevis, Wisby and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Cox, Finks, Lesueur, Mackey, Mahn, Maynard, McCormick of St. Louis city and Vancleve—11.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Pehle and Tiernan—6.

On motion of Mr. McIntyre, the House adjourned until to-morrow morning at 9 o'clock.

SIXTY-THIRD DAY—WEDNESDAY, March 26, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Settles, the further reading was dispensed with.

Mr. Vancleve presented a petition from citizens of Macon county, praying the Legislature to abolish the office of railroad commissioner, and asking that the money now used to support said commission, be expended in inviting immigration to the State; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Craig introduced bill No. 583, entitled An act to amend an act entitled an act to regulate charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding a new section thereto, to be known as section 19; which was read the first time and laid over.

Mr. Greer introduced bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the remains of the Hon. Thomas J. Howell, late Representative; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 585, entitled An act to amend section 7 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation, by mining operations, approved April 21, 1877; which was read the first time and laid over.

Mr. Larimore introduced bill No. 587, entitled An act in relation to dramshops; which was read the first time and laid over.

Mr. Saunders introduced bill No. 588, entitled An act to amend section 15, chapter 69 of the General Statutes of the State of Missouri; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 589, entitled An act to repeal section 43 of supplement to chapter 27 of Wagner's Missouri Statutes, being section 43, as set forth in section 1 of an act entitled an act to amend chapter 27 of the General Statutes of Missouri, relating to county surveyors, approved March 25, 1872; which was read the first time and laid over.

Mr. Kneisley introduced bill No. 590, entitled An act to amend section 1 of an act entitled an act to reorganize the Board of Curators for the State University, and repealing certain acts and parts of acts in relation to said institution, approved April 18, 1877; which was read the first time and laid over.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 553, entitled An act to regulate and classify the rates and fares of railroads of this State, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Internal Improvements; which was read.

House bill No. 553, was taken up, and, on motion, referred to the Committee on Internal Improvements.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 547, entitled An act to relieve the financial wants of the State, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Ways and Means; which was read.

House bill No. 547, entitled An act to relieve the financial wants of the State, was taken up, and, on motion, referred to the Committee on Ways and Means.

Mr. Riley was granted leave of absence for one day.

Mr. Collins, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri; was taken up, and, on motion, ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate joint and concurrent resolution No. 5, entitled Joint and concurrent resolution instructing our Senators and requesting our representatives in Congress to procure, if possible, the enactment of a law or the submission of a constitutional amendment to prevent the Federal courts from exercising or assuming jurisdiction in causes wherein any county or other subdivision of a State is or shall be a party, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate joint and concurrent resolution No. 5, entitled Joint and concurrent resolution instructing our Senators and requesting our representatives in Congress to procure, if possible, the enactment of a law or the submission of a constitutional amendment to prevent the Federal courts from exercising or assuming jurisdiction in causes wherein any county or other subdivision of a State is or shall be a party; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dille, Dougherty, Drum, Ellis, Ewing, Farr, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Miles, Moler, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney,

Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Powell, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Wells, Weygandt, Whitaker, Wiley, Windes, Withers, Younger, O'Malley, Phelan, Riley and Warren—101.

NOES—Messrs. Bonham, Brewer, Harrington, Johnson, Lockhart, Manistre, Powers, Smith of Cedar, Mott, Maynard, Souder and Mr. Speaker—12.

ABSENT—Messrs. Brady, Dale, Davis, Dawson, Diercks, Dryden, Foster, Hall, Harrigan, Mudd of Lincoln, Mudd of St. Louis, Pepper, Pollock, Pollard, Waggener and Wisby—17.

ABSENT WITH LEAVE—Messrs. Arnold, Chenoweth, Chitwood, Finks, Mahn, McCormick of St. Louis city and Freed—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Pehle and Tiernan—6.

The title of the resolution was read and agreed to.

Mr. Collins moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Moler for two days.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation.

Also substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of Missouri, concerning change of venue in civil cases, in which the concurrence of the House is respectfully requested.

Also that the Senate has taken up and passed the following House bills:

House bill No. 325, entitled An act to repeal an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and acts supplementary thereto.

House bill No. 327, entitled An act to repeal an act in regard to establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto.

House bill No. 328, entitled An act to repeal acts regulating fees of grand and petit jurors and witnesses in St. Louis county, approved March 5, 1855.

House bill No. 329, entitled An act to repeal acts concerning the common jail and jailer of St. Louis county, and appointing a jailer.

House bill No. 362, entitled An act to repeal an act to provide for payment of jurors in St. Louis county.

House bill No. 363, entitled An act to repeal an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts amendatory thereof and supplementary thereto.

House bill No. 364, entitled An act to repeal an act fixing compensation of justices of the county court in St. Louis county at \$1,200 per annum.

House bill No. 366, entitled An act to repeal an act to provide for erection of poor-house, and an act to provide for support of poor in St. Louis county.

House bill No. 367, entitled An act to repeal an act to work roads in St. Louis county.

House bill No. 74, entitled An act to prohibit railroad companies from cleaning stock cars on any but enclosed lands.

Also House bill No. 299, entitled An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes, entitled of the destruction of wolves, being same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri; which was read.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877; also House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863, and find the same truly and correctly enrolled; which was read.

House bill No. 65, entitled An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15th, 1877; was taken up, read at length by the Clerk and signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

House bill No. 326, entitled An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and an act entitled an act to make the partition of real

estate in St. Louis county more accurate and complete, approved February 25, 1863; was taken up, read at length by the clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Patterson of Linn was reported sick.

Senate bill No. 180, entitled An act to amend an act entitled of husband and wife, and the rights of married women, being chapter 115 of the General Statutes of Missouri of 1865; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—115.

NOES—Messrs. Bowman, Brady, Dade, Hubbard, Hynes, Ingram, Johnson, Pollard and Tevis—9.

ABSENT—Messrs. Dawson, Diercks, Pollock, Waggener, Wiley, Wisby and Younger—7.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed and McCormick of St. Louis city—5.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Kendall,

Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—112.

NOES—Messrs. Bowman, Brady, Dade, Hubbard, Hynes, Ingram, Johnson and Wells—8.

ABSENT—Messrs. Dawson, Diercks, Ewing, O'Malley, Pollock, Smith of Cedar, Tevis, Waggener and Wisby—9.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed, Moler, McCormick of St. Louis city and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bills Nos. 60 and 204, being an act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of Missouri, concerning practice in civil cases, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute for Senate bills Nos. 60 and 204; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Bohannon moved to reconsider the vote by which Senate bill No. 12, failed to pass yesterday.

Mr. Davis moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table, did not prevail by the following vote:

AYES—Messrs. Arnold, Beckner, Berryman, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carroll, Chilton, Cock, Coleman, Cowan of Holt, Cox, Crow, Crowther, Davis, Drum, Dryden, Ellis, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Harrigan, Harrington, Hubbard, Hynes, Helm, Kendall, Lackland, Louthan, Mahn, Manistre, Maynard, Mott, McDaniel, McGarry, O'Malley, Phelan,

Ragan, Saunders, Souder, Smith of St. Louis city, Swank, Tevis, Waggener, Wells, Weygandt and Mr. Speaker—54.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Burrows, Carleton, Cloud, Collins, Cook, Cowan of Christian, Craig, Creager, Dade, Dale, Dilley, Dougherty, Ewing, Freed, Gray, Hammons, Harrison, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pollard, Powell, Powers, Price, Rawlings, Reynolds, Settles, Smith of Cedar, Spring, Talbot, Turner, Vancleve, Warren, Whitaker, Wiley, Windes, Wisby, Withers and Younger—70.

ABSENT—Messrs. Dawson, Diercks, Farr, Haynes, Pepper, Pollock and Taylor—7.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, McCormick of St. Louis city and Riley—5.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The question recurring upon the motion to reconsider, it was agreed to.

The question being "shall the bill pass?" the roll was called and the bill again failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Burrows, Carleton, Collins, Cook, Cowan of Christian, Craig, Creager, Dade, Dale, Dilley, Dougherty, Ewing, Gray, Hammons, Harrison, Hynes, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Pepper, Powell, Powers, Price, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Vancleve, Warren, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—67.

NOES—Messrs. Arnold, Berryman, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carroll, Chilton, Cloud, Cock, Coleman, Cowan of Holt, Cox, Crow, Davis, Drum, Dryden, Ellis, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Louthan, Mahn, Manistre, Maynard, Mott, McDaniel, McGarry, O'Malley, Organ, Palmer, Phelan, Pollard, Ragan, Saunders, Settles, Souder, Smith of St. Louis city, Swank, Taylor, Tevis, Waggener, Wells and Weygandt—57.

ABSENT—Messrs. Crowther, Dawson, Diercks, Farr, Patterson of Schuyler and Pollock—6.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed, McCormick of St. Louis city and Riley—6.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

Mr. Foster moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis raised the point of order that it was not competent to again make a motion to reconsider.

The Chair decided the point of order well taken.

Leave of absence was granted Mr. Younger for seven days.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotel and boarding keepers' liens, contractors, material, men and laborers' liens, railroads and equitable liens and notices, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotel and boarding-house keepers' liens, contractors' material, men and laborers' liens, railroad and equitable liens and notices; was taken up with the following amendments, recommended by the Joint Committee on Revision:

Amendment No. 1—Amend by striking out the whole of section 25; which was read and agreed to.

Amendment No. 2—Amend section 48 by inserting in line 2 after the word, "of" where it first occurs in said line, the words, "sections 29 to 44, inclusive of;" which was read and agreed to.

Amendment No. 3—Amend by striking out the whole of section 29; which was read and agreed to.

Amendment No. 4—Amend section 26 by striking out the words, "section 26" in the first line, and inserting the words, "section 25," in lieu thereof, and by striking out the words, "section 27," in the first line of section 27, and inserting the words, "section 26" in lieu thereof; which was read and agreed to.

Amendment No. 5—That the numbers of the sections of the bill from section 30 to section 51 inclusive, be changed by striking out the figures, "30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51," wherever they occur as numbers of said sections, and inserting in lieu thereof as the numbers of said sections respectively, the figures, "27, 28, 29, 30, 31, 32, 33, 34, 35, 46, 47, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48;" which was read and agreed to.

Amendment No. 6—Amend by striking out all of amendment No. 2, agreed to by the House March 12th, 1879; which was read and agreed to.

The bill as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Freed, Gray, Greer, Gwynne, Hale, Ham, Hammons, Haynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, Organ, Palmer, Phelan, Powell, Powers, Price, Ragan, Rawlings, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—90.

NOES—Messrs. Alldridge, Cowan of Christian, Hayes, Hall, Hubbard, Hynes, Larimore, Miles, Mudd of St. Louis, McKinney and Smith of Cedar—11.

ABSENT—Messrs. Adams, Andrews, Bashaw, Beckner, Collins, Dade, Dale, Davis, Dawson, Diercks, Foster, Harrigan, Harrington, Harrison, Ingram, Lesueur, Mudd of Lincoln, McKill, O'Malley, Patterson of Schuyler, Pepper, Pollock, Pollard, Saunders, Souder, Vancleve, Waggener, Whitaker and Wiley—29.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, McCormick of St. Louis city, Riley and Younger—6.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill as amended, was read and agreed to.

Mr. McDaniel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER; Your Committee on Ways and Means to whom was referred substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State, and other persons, from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary funds, beg leave to report that they have considered the same, and report it back with the accompanying amendment, without recommendation; which was read.

Senate substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State and other persons from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary funds; was taken up, with the following amendment recommended by the Committee on Ways and Means:

Amend section 1, line 8, of printed bill, by striking out the word "face," and insert in lieu thereof the word "back;" which was read and agreed to.

On motion, the bill, as amended, was laid over for third reading.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 510, entitled An act to amend an act entitled an act to amend section 1 of chapter 96 of the General Statutes of Missouri, entitled peddlers' licenses, the same being section 1, chapter 106 of Wagner's Statutes, approved April 12, 1877, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 510 was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, etc., approved April 12, 1877, by adding a new section thereto, to be known as section 22, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 470 was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 311, entitled An act in relation to the assessment and collection of the revenue, and to provide a more equitable plan of taxation, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 311, entitled An act in relation to the assessment and collection of the revenue, and to provide a more equitable plan of taxation; was taken up.

Mr. Louthan offered the following amendment:

Amend section 1 by striking out all words between the word "year," in the fourth line, and the word "for," in the fifth line; which was read.

Mr. Wells moved to lay the amendment on the table; which was agreed to.

The following message was received from the Senate through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 301, entitled An act providing for furnishing the Joint Committee on Revision of the Statutes with copies of all laws of a general nature passed by the Thirtieth General Assembly, in which the concurrence of the House is respectfully requested; which was read.

House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and Chief Clerk of the House of Representatives; was taken up, read the third time, and passed by the following vote:

AYES — Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Drum, Dryden, Ellis, Ewing, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kniesley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Powell, Powers, Ragan, Rawlings, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis,

Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Mr. Speaker—104.

NOES—Mr. Dade—1.

ABSENT—Messrs. Berryman, Bohannon, Brady, Carroll, Cox, Dawson, Diercks, Dougherty, Farr, Foster, Hall, Hynes, Johnson, Lesueur, Maynard, Phelan, Pollock, Pollard, Price, Reynolds, Vancleve, Waggener and Wiley—23.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed, McCormick of Louis city, McDaniel, Riley and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Gray, Greer, Gwynne, Hayes, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Mr. Speaker—106.

ABSENT—Messrs. Berryman, Bonham, Boulware, Carleton, Carroll, Chilton, Cox, Dade, Dawson, Diercks, Ewing, Foster, Hall, Hale, Harrison, Lesueur, Maynard, Pollock, Pollard, Reynolds, Swank, Vancleve, Waggener and Wiley—24.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed, McCormick of St. Louis city and Younger—6.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869, having had the same under consideration, beg leave to report said bill back to the House with the accompanying amendment, without recommendation; which was read.

House bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869; was taken up with the following amendment recommended by the Committee on Retrenchment and Reform:

Amend by striking out, in the third line of section 5, the words "two thousand dollars," and insert in lieu thereof the words "three thousand dollars;"

Also amend by striking out, in the eighth line of section 1, the words "two thousand dollars," and insert in lieu thereof the words "three thousand dollars;" which was read and agreed to.

Mr. Wells offered the following amendment:

Amend by adding a new section, as follows:

Section —. This act shall take effect on January 1, 1881; which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Brown offered the following resolution:

Resolved, That the House of Representatives hold evening sessions, beginning at half past seven o'clock on Wednesdays and Thursdays of each week, excepting to-night, to receive reports from the Committee on Revision, pass revised bills, and transact such other business relative to revision, as occasion may require; which was read and adopted.

On motion of Mr. Davis, the House adjourned until to-morrow morning at 9 o'clock.

SIXTY-FOURTH DAY—THURSDAY, March 27, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE. }
JEFFERSON CITY, Mo., March 27, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives :

SIR—I return to the House, with my approval endorsed thereon, bills of the following titles :

An act to repeal an act entitled an act to provide for the custody of minor children in proceedings in habeas corpus between the parent of such minor and any person not the parent, approved March 15, 1877.

An act to emend section 50 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877.

An act to repeal an act entitled an act concerning partition of lands in St. Louis county, approved February 28, 1857, and An act entitled an act to make the partition of real estate in St. Louis county more accurate and complete, approved February 25, 1863.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 74, entitled An act to prohibit railroad companies from cleansing stock cars on any but inclosed lands, and find the same truly and correctly enrolled ; which was read.

House bill No. 74, entitled An act to prohibit railroad companies from cleansing stock cars on any but inclosed lands ; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12, 1849, and find the same truly and correctly enrolled ; which was read.

House bill No. 367, entitled An act to repeal an act entitled an act to work roads in St. Louis, approved March 12, 1849; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 366, entitled An act to repeal an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled an act better to provide for the support of the poor in St. Louis county, approved March 1, 1855, and find the same truly and correctly enrolled; which was read.

House bill No. 366, entitled An Act to repeal an act entitled an act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled an act better to provide for the support of the poor in St. Louis county, approved March 1, 1855; was taken up, read at length by the clerk, signed by the Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors and of witnesses in St. Louis county, approved March 5, 1855, and find the same truly and correctly enrolled; which was read.

House bill No. 328, entitled An act to repeal an act entitled an act regulating the fees of grand and petit jurors and witnesses in St. Louis county, approved March 5, 1855; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February

28, 1845, and all acts supplementary thereto, and find the same truly and correctly enrolled; which was read.

House bill No. 325, entitled An act to repeal an act entitled an act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto; was taken up, read at length by the clerk, signed by the Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailer of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof in St. Louis county, approved February 27, 1866, and find the same truly and correctly enrolled; which was read.

House bill No. 329, entitled An act to repeal an act entitled an act for the benefit of the jailer of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof in St. Louis county, approved February 27, 1866; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 364, entitled An act to repeal an act entitled an act in relation to the justices of the county court of St. Louis county, approved March 25, 1868, and find the same truly and correctly enrolled; which was read.

House bill No. 364, entitled An act to repeal an act entitled an act in relation to the justices of the county court of St. Louis county, approved March 25, 1868; was taken up, read at length by the clerk, signed by the Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 299, entitled An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes, entitled of the destruction of wolves, being same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Stat

utes of Missouri, and find the same truly and correctly enrolled; which was read.

House bill No. 299, entitled An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes, entitled of the destruction of wolves, being same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845, and find the same truly and correctly enrolled; which was read.

House bill No. 362, entitled An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof, and find the same truly and correctly enrolled; which was read.

House bill No. 363, entitled An act to repeal an act entitled an act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Bohannon, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto, and find the same truly and correctly enrolled; which was read.

House bill No. 327, entitled An act to repeal an act entitled an act in regard to the establishment and improvement of roads in St.

Louis county, approved February 15, 1864, and all acts amendatory and supplementary thereto; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Gwynne offered the following resolution amending the rules of the House :

Resolved, That section 3 of article 6 of the rules and orders of the House of Representatives, be and the same is hereby amended so as to read as follows : After the journal is read, business shall be disposed of in the following order :

First—Introduction and reading of revised bills.

Second—Reading of revised bills.

Third—Reading of revised bills.

Fourth—Reports of standing committees.

Fifth—Petitions, memorials and remonstrances.

Sixth—Resolutions.

Seventh—Joint and concurrent or joint resolutions.

Eighth—Introduction of bills, other than revised bills.

Ninth—Second reading of House bills.

Tenth—First reading of Senate bills.

Eleventh—Second reading of Senate bills.

Twelfth—Third reading of House bills.

Thirteenth—Third reading of Senate bills.

Fourteenth—Reports of select committees, miscellaneous reports, and other business on the table.

Fifteenth—Order of business.

Sixteenth—No alteration or change of, or deviation from the above order of procedure shall be allowed except by rule or order of the House, or by unanimous consent; which was read and laid over under the rule.

Leave of absence was granted to Mr. Harrison for twelve days.

On motion of Mr. Chilton, the Committee on Ways and Means were instructed to report back to the House, House bill No. 574.

Mr. Burford introduced bill No. 591, entitled An act regulating the assessment and taxation of notes and other evidences of indebtedness; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 592, entitled An act to regulate the rate of interest; which was read the first time and laid over.

Mr. Spring introduced bill No. 593, entitled An act to reorganize and diminish the number of judicial circuits, and prescribing the time of holding courts therein, and repealing an act entitled an act dividing the State into judicial circuits, and prescribing the times of hold-

ing courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Turner introduced bill No. 594, entitled An act to authorize the State Auditor to allow the board bills of Daniel Peterson, jailor of Madison county; which was read the first time and laid over.

Mr. Crowther introduced bill No. 595, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; which was read the first time and laid over.

Mr. Powell introduced bill No. 596, entitled An act to enable physicians and surgeons to enroll as such, who were entitled to enroll under the act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, approved March 27, 1874, and who have failed from reasonable cause to do so; which was read the first time and laid over.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10, 1860, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10, 1860; was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate bill No. 98, was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106 of the General Statutes of the State of Missouri, con-

cerning frauds and perjuries, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate bill No. 202 was taken up, and, on motion, was referred to the Joint Committee on Revision.

Mr. Wells, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 517, entitled An act in relation to nursery stock, and the non-exemption of certain property, beg leave to report that they have considered the same and offer a substitute without recommendation; which was read.

House bill No. 517, entitled An act in relation to nursery stock and the non-exemption of certain property; was taken up with the substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Ragan, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society, approved March 15, 1861, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society, approved March 15, 1861; was taken up, and, on motion, the bill was ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred joint and concurrent resolution 36, entitled concerning the improvement of the Mississippi river to the capacity of ocean steamship navigation, reclamation of lands and Florida canal, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 36, entitled Joint and concurrent resolution concerning the improvement of the Mississippi river to the capacity of ocean ship navigation, reclamation of lands and Florida canal; was taken up, and, on motion, ordered engrossed and printed.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform,

to whom was referred House bill No. 514, entitled An act to amend section 25 of chapter 32 of the General Statutes of Missouri, concerning witness fees, having had the same under consideration, beg leave to report said bill back to the House with recommendation that it do pass; which was read.

House bill No. 514, entitled An act to amend section 25 of chapter 32 of the General Statutes of Missouri, concerning witness fees; was taken up, and, on motion, referred to the Joint Committee on Revision.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators and Representatives in Congress to favor the passage of an act giving pensions to surviving soldiers of the Mexican war.

Also, that there has been introduced into and passed the Senate, substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment; in which the concurrence of the House is respectfully requested; which was read.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 496, entitled An act for the payment of lost defense warrants, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 496, entitled An act for the payment of lost defense warrants; was taken up, and, on motion, ordered engrossed and printed.

Mr. Carleton, from the Committee on Swamp Lands, submitted the following report:

MR. PEAKER: Your Committee on Swamp Lands, to whom was referred House bill No. 533, entitled An act providing for transferring the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court and ex-officio recorder, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 533, was taken up, and, on motion, ordered engrossed and printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State; was taken up with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—Amend section 10 by inserting in the sixth line after the word “same,” the words “penalties and;” which was read and agreed to.

Amendment No. 2—Amend section 12 by adding at the end of said section the following words, to-wit: “Provided, That no inspector shall retain for the services of himself and deputies in any one year a greater amount than five thousand dollars of the fees so received by him, and it is hereby made his duty to pay into the State Treasury, to the credit of the State revenue fund, the over-plus above the said sum of five thousand dollars; and he shall, on the first day of January of each year, during his term of office, make under oath a statement of the monthly receipts of his office to the State Auditor, and he shall be liable on his official bond for any failure to perform the requirements of this proviso, besides being subject to indictment and punishment for perjury in case he shall make a false oath in returning any statement required by this section;” which was read and agreed to.

The substitute, as amended, was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 480, entitled An act for the payment of Peter J. Diercks, and to appropriate money therefor, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House bill No. 480, entitled An act for the payment of Peter J. Diercks, and to appropriate money therefor; was taken up.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the House refused to order the bill to engrossment and printing by the following vote :

AYES—Messrs. Burford, Carleton, Coleman, Cowan of Christian, Craig, Creager, Diercks, Dilley, Dougherty, Ewing, Farr, Foster, Haynes, Manistre, Maynard, Mudd of St. Louis, Phelan, Powers, Ragan, Saunders, Smith of St. Louis city, Taylor, Turner, Wells, and Mr. Speaker—25.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Chilton, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Dade, Drum, Dryden, Ellis, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Spring, Swank, Tevis, Warren, Weygandt, Wiley, Windes and Withers—87.

ABSENT—Messrs. Boulware, Brown, Carroll, Cock, Dale, Davis, Dawson, Hall, Harrington, Hynes, Mott, O'Malley, Pollock, Talbot, Vancleve, Waggener, Whitaker and Wisby—18.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Finks, Moler and Younger—5.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

Senate bill No. 141, entitled An act to amend section 47 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and to repeal all acts and parts of acts inconsistent therewith, approved April 28, 1877, and to change the time of holding courts in Marion county ; was taken up, read at length by the clerk and signed by the Speaker without objections.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 6 for Senate bill No. 52, being An act to revise and amend chapter 138 of the General Statutes of the State of Missouri concerning common law, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 6 for Senate bill No. 52, entitled An act to revise and amend chapter 138 of the General Statutes of the State of

Missouri, concerning common law ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Booth, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Warren, Wells, Weygandt, Wiley, Withers and Mr. Speaker—106.

ABSENT—Messrs. Alldridge, Beckner, Bonham, Boulware, Brown, Chilton, Dade, Dale, Davis, Dawson, Hall, Haynes, Johnson, Kendall, Miles, Pollock, Swank, Turner, Vancleve, Waggener, Whitaker Windes and Wisby—23.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Finks, Freed, Moler and Younger—6.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 22 for Senate bill No. 52, being an act to revise and amend chapter 154 of the General Statutes of the State of Missouri, concerning trusts and trustees, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

Senate substitute No. 22 for Senate bill No. 52, entitled An act to revise and amend chapter 154 of the General Statutes of the State of Missouri, concerning trusts and trustees ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bow-

man, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—108.

NOES—Messrs. Cox, Dade and Ingram—3.

ABSENT—Messrs. Beckner, Brady, Brown, Carroll, Chitwood, Cock, Collins, Dale, Davis, Freed, Gray, Knight, Pollock, Rawlings, Turner, Vancleve, Waggener, Windes and Wisby—19.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Moler and Younger—5.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitutes Nos. 11, 12, 13, 28 and 30 for Senate bill No. 52, entitled An act to revise and amend chapters 143, 144, 145, 160, and that part of 145 of the General Statutes concerning evidence, public records, witnesses, the perpetuation of testimony, executions, and establishing of land boundaries, in which the concurrence of the House is respectfully requested; which was read.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 24 for Senate bill No. 52, being an act to revise and amend chapter 156 of the General Statutes of the State of Mis-

souri, concerning mandamus, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 24 for Senate bill No. 52, entitled An act to revise and amend chapter 156 of the General Statutes of the State of Missouri, concerning mandamus; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—108.

NOES—Messrs. Dade and Ingram—2.

ABSENT—Messrs. Beckner, Brady, Campbell of Atchison, Carroll, Chitwood, Cock, Dale, Davis, Ewing, Freed, Knight, Maynard, O'Malley, Pollock, Rawlings, Taylor, Turner, Vancleve, Waggener and Wisby—20.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Moler and Younger—5.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Settles moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was called up, with the House amendments thereto.

Mr. Settles moved to reconsider the vote by which House amendment No. 1 was agreed to; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 2 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 3 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 4 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 5 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 6 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 7 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 8 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 9 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 10 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 11 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 12 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 13 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 14 was agreed to ; which was agreed to.

Mr. Settles moved to reconsider the vote by which House amendment No. 15 was agreed to ; which was agreed to.

On motion of Mr. Settles, the bill was recommitted to the Committee on Ways and Means.

The following message was received from the Senate through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed, substitute for House bills No. 130, 116, 172 and 167, entitled An act to regulate the compensation of members of the General Assembly and their officers and employes, and have adopted the emergency clause thereto, in which the House is respectfully requested to concur ; which was read.

House bill No. 64, entitled An act to limit fees of judges of probate ; was taken up.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the House refused to order the bill to engrossment and printing by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bonham, Boulware, Brown, Burford, Burrows, Collins, Cook, Crowther, Dade, Diercks, Dougherty, Ewing, Hayes, Harrison, Hynes, Ingram, Kneisley, Larimore, Lynn, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKinney, Organ, Powell, Powers, Price, Rawlings, Riley, Smith of Cedar, Spring, Swank, Talbot, Whitaker and Withers—39.

NOES—Messrs. Adams, Arnold, Berry, Berryman, Bohannon, Booth, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dilley, Drum, Dryden, Ellis, Farr, Foster, Gray, Greer, Gwynne, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Johnson, Kendall, Lackland, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, McCormick of St. Louis city, McGarry, McIntyre, McKill, O'Malley, Palmer, Pepper, Phelan, Pollard, Ragan, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Taylor, Tevis, Warren, Wells, Weygandt, Wiley, Windes and Mr. Speaker—74.

ABSENT—Messrs. Beckner, Brady, Chitwood, Dale, Davis, Freed, Hall, Knight, Louthan, McCormick of Washington, Patterson of Schuyler, Pollock, Turner, Vancleve, Waggener and Wisby—16.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Moler, McDaniel and Younger—6.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

Senate substitute for House bill No. 191, entitled An act to repeal sections 6, 7 and 8 of an act entitled an act in relation to social evil hospital and house of industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874, was taken up, read, and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper,

Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—109.

ABSENT—Messrs. Adams, Brady, Burford, Chitwood, Dale, Davis, Freed, Haynes, Hynes, Knight, Lackland, Maynard, Mudd of St. Louis, McCormick of Washington, Pollock, Reynolds, Souder, Vancleve, Waggener and Wisby—20.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Moler, McDaniel and Younger—6.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Harrigan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Powers moved to reconsider the vote by which the House refused to order House bill No. 253 to a third reading on the 25th inst.; which was agreed to.

House bill No. 253, entitled An act amending section 54 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bal-
lew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware,
Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chilton,
Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of
Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Diercks, Dilley,
Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer,
Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harring-
ton, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley,
Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey,
Mackey, Manistre, Miles, Mudd of Lincoln, Mudd of St. Louis, Mc-
Cormick of St. Louis city, McElvain, McGarry, McIntyre, McKill,
McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan,
Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds,
Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city,
Spring, Swank, Talbot, Taylor, Tevis, Wells, Weygandt, Whitaker,
Wiley, Windes, Withers and Mr. Speaker—108.

NOES—Mr. Turner—1.

ABSENT—Messrs. Brady, Burford, Campbell of Atchison, Chitwood, Dale, Davis, Freed, Hale, Ingram, Knight, Mahn, Maynard, Mott, McCormick of Washington, Pepper, Pollock, Vancleve, Waggener, Warren and Wisby—20.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Moler, McDaniel and Younger—6.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—105.

ABSENT—Messrs. Burford, Campbell of Atchison, Chitwood, Dade, Dale, Davis, Freed, Gwynne, Hale, Ham, Harrigan, Johnson, Knight, Mahn, Maynard, Mott, McCormick of Washington, Pollock, Souder, Vancleve, Waggener, Warren and Wisby—23.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Dryden, Finks, Moler, McDaniel and Younger—7.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Powers moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bills Nos. 158, 233 and 268 were taken up with the substitute recommended by the Committee on Agriculture, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor.

Mr. Lesueur offered the following amendment :

Amend by making section 15 read as follows: "Section 15. All acts and parts of acts inconsistent with this act are hereby repealed; amend by changing the number of section 15 in the bill to No. 16;" which was read and agreed to.

Pending the consideration of the bills and the substitute therefor,
On motion of Mr. Windes, the House took a recess until 2½ o'clock
P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

The House resumed the consideration of House bills Nos. 158, 233 and 268, and the substitute therefor recommended by the Committee on Agriculture, pending at the hour of recess.

Mr. Lesueur offered the following amendment to the substitute:
Amend by striking out section 3; which was read and agreed to.

Mr. Lesueur offered the following amendment to the substitute:
Amend by striking out in lines five, six and seven of section 6, the words "it shall also be unlawful for any person or persons to take or catch any fish by means of nets, scoops or spears, or any other devices than hook and lines, through holes in the ice, in any of the waters of the State; which was read and agreed to.

Mr. Warren offered the following amendment to the substitute:
Amend by striking out all of the sixth section; which was read.

Mr. Hale moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brewer, Coleman, Cowan of Christian, Craig, Creager, Dade, Drum, Greer, Hale, Ham, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Knight, Larimore, Louthan, Lynn, Mabrey, Miles, Mudd of Lincoln, McElvain, McKill, McKinney, Organ, Powers, Price, Riley, Reynolds, Settles, Smith of Cedar, Wells, Whitaker, Windes and Withers—46.

NOES—Messrs. Adams, Anderson, Andrews, Booth, Boulware, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Davis, Diercks, Dougherty, Ellis, Ewing, Foster, Gray, Gwynne, Hayes, Harrigan, Harrington, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Mackey, Mahn, Manistre, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, Pepper,

Phelan, Pollard, Ragan, Rawlings, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Weygandt, Wisby and Mr. Speaker—61.

ABSENT—Messrs. Brady, Chitwood, Dale, Dilley, Farr, Freed, Hall, Hammons, Haynes, Maynard, O'Malley, Palmer, Patterson of Schuyler, Pollock, Powell, Vancleve, Waggener and Wiley—18.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Dryden, Finks, Moler, McDaniel, McIntyre and Younger—8.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The question recurring upon agreeing to the amendment, it was not agreed to.

Mr. Mabrey offered the following amendment to the substitute :

Amend by striking out the word "five," in line four of section 2, and insert the word "one;" which was read.

Mr. Campbell of Atchison offered the following substitute for the amendment to the substitute :

Amend by striking out the word "five," in line four, section 2, and insert the word "three;" which was read and agreed to.

Mr. Hynes offered the following amendment to the substitute :

Amend by striking out all of section 4; which was read and agreed to.

The substitute, as amended, was read and agreed to.

The question being upon the engrossment and printing of the substitute, as amended, the ayes and noes were demanded, and the substitute was ordered to engrossment and printing by the following vote :

AYES—Messrs. Adams, Anderson, Andrews, Booth, Brewer, Brown, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Davis, Diercks, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Hubbard, Johnson, Lackland, Lesueur, Lockhart, Louthan, Mackey, Manistre, Maynard, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Ragan, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Weygandt, Wisby and Mr. Speaker—66.

NOES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Coleman, Cowan of Christian, Craig, Creager, Dade, Drum, Greer, Ham, Hammons, Harrison, Hynes, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Lynn, Mabrey, Mahn, Miles, Mudd of Lincoln, McElvain, McKill, Mc-

Kinney, Patterson of Schuyler, Powell, Powers, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Warren, Wells, Whitaker, Windes and Withers—49.

ABSENT—Messrs. Brady, Bryan, Burford, Carroll, Chitwood, Dale, Dilley, Freed, Pollock, Price, Vancleve, Waggener and Wiley—13.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Dryden, Finks, Moler, McDaniel and Younger—7.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—8.

Leave of absence was granted Mr. Gwynne for two days.

Leave of absence was granted the Committee on Ways and Means for the afternoon.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of the Wagner's Statutes of Missouri of 1872, and to add new section to said chapter, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of the State of Missouri, entitled of the supreme court, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 338, entitled An act to amend section 36 of an act entitled an act to divide the State into judicial circuits, prescribing

ing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 338; was taken up, and the House refused to order the bill to engrossment and printing.

Senate substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation; was called up and read the first time.

Senate substitute No. 11 for Senate bill No. 52, entitled An act to revise and amend chapter 143 of the General Statutes of the State of Missouri, concerning evidence, statutes, public records and documents; was called up and read the first time.

Senate substitute No. 30 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, concerning the establishing of land boundaries; was called up and read the first time.

Senate substitute No. 12 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning witnesses; was called up and read the first time.

Senate substitute No. 12 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, relating to the perpetuation of testimony; was called up and read the first time.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases; was called up and read the first time.

Senate substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions; was called up and read the first time.

Senate bill No. 138, entitled An act directing the State board of assessment and equalization, to assess, adjust and equalize the railroad property of the State of Missouri, from the first day of February, 1873, to the first of August, 1873, and to direct and enforce the collection of taxes thereon; was called up and read the first time.

Senate substitute for Senate bills Nos. 127 and 146, entitled An act to appropriate money for the payment to Winfield S. Thompson, John L. Herndon and Mrs. Kate C. Mitchell, for outstanding Union military bonds; was called up and read the first time.

Senate bill No. 235, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto; was called up and read the first time.

Senate bill No. 279, entitled An act to amend an act entitled an act to amend chapter 198 of the General Statutes of the State of Missouri, approved February 25, 1869, concerning the selling of wine by wine-growers; was called up and read the first time.

Senate bill No. 301, entitled An act providing for furnishing the joint Committee on Revision of the Statutes with copies of all laws of a general nature passed by the 30th General Assembly; was called up and read the first time.

Senate bill No. 147, entitled An act to repeal chapter 118 of the General Statutes of Missouri, entitled of colored apprentices; was called up and read the first time.

House bill No. 580, entitled An act to amend sections 1 and 2 of chapter 139 of Wagner's Missouri Statutes, entitled trusts and trustees; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 581, entitled An act amending section 33 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 582, entitled An act to amend an act entitled an act to provide for the registering and licensing of dogs; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 583, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding a new section thereto, to be known as section 19; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

House bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the remains of the Hon. Thomas J. Howell, late Representative; was called up, read the second time, and, on motion, referred to the Committee on Permanent Seat of Government.

House bill No. 585, entitled An act to amend section 7 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all

acts and parts of acts inconsistent therewith, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation by mining operations, approved April 21, 1877; was called up, read the second time, and, on motion, referred to the Committee on Mines and Mining.

House bill No. 587, entitled An act in relation to dramshops; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 588, entitled An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri; was called up, read the second time, and on motion, referred to Committee on Federal Relations.

House bill No. 589, entitled An act to repeal section 43 of supplement to chapter 27, of Wagner's Missouri Statutes, being section 43 as set forth in section 1 of an act entitled an act to amend chapter 27 of the General Statutes of Missouri, relating to county surveyors, approved March 25th, 1872; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

House bill No. 590, entitled An act to amend section 1 of an act, entitled an act to reorganize the board of curators of the State University, and repealing certain acts and parts of acts in relation to said institution, approved April 18th, 1877; was called up, read the second time, and, on motion, referred to Committee on Education.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 574, entitled An act establishing reasonable maximum rates of charges for the transportation of passengers and freight on railroads, and providing adequate penalties to enforce the same, and repealing an act approved March 29th, 1875, entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, beg leave to report that, by order of the House, it is returned to the House; which was read.

House bill No. 574, entitled An act establishing reasonable maximum rates of charges for the transportation of passengers and freight on railroads, and providing adequate penalties to enforce the same, and repealing an act approved March 29th, 1875, entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their pow-

ers and duties; was taken up, and, on motion, referred to the Committee on Internal Improvements.

Mr. Cowan of Holt, from the Committee on Education, submitted the following report :

MR. SPEAKER: Your Committee on Education, to whom was referred Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms, or portions of the public school building in said city, as are not necessary for public school purposes, to the board of directors of the North-West Missouri normal school of said city, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms, or portion of the public school building in said city, as are not necessary for public school purposes, to the board of directors of the North-West Missouri normal school of said city; was taken up, and, on motion, 250 copies were ordered printed.

Mr. Bonham offered the following resolution :

Resolved, That this House is opposed to the payment of all war claims against this State, until the said claims are audited by the United States, and that this House further indorses the position taken by Congressman Bragg of Wisconsin, in his speech in Congress in opposition to the payment of the war claims now presented against the United States; which was read.

Mr. McGarry moved to refer the resolution to the Committee on Federal Relations.

Pending the consideration of which, on motion of Mr. Cowan of Holt, the House took a recess until 7½ o'clock this evening.

EVENING SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

The House resumed the consideration of the resolution offered by Mr. Bonham, pending at the hour of recess.

The question being on the motion to refer the resolution to the Committee on Federal Relations; it was so referred.

Substitute No. 2 for Senate bill No. 52, entitled An act to revise amend chapter 115 of the General Statutes of Missouri, concerning husband and wife, and the rights of married women; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Diercks, Dougherty, Drum, Ellis, Ewing, Gray, Greer, Hayes, Hall, Hale, Ham, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kniesley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Pepper, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Withers—91.

NOES—Messrs. Booth, Bowman, Crow, Dade, Davis, Dilley, Foster, Maynard, Smith of Cedar and Mr. Speaker—10.

ABSENT—Messrs. Anderson, Ballew, Brady, Carroll, Chitwood, Dale, Dryden, Farr, Freed, Hammons, Haynes, Harrigan, Harrington, Hynes, Knight, Louthan, Miles, Mott, McCormick of St. Louis city, McDaniel, Patterson of Schuyler, Phelan, Pollock, Pollard, Taylor, Turner, Vancleve, Waggener and Wiley—29.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Gwynne, Moler and Younger—6.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 23, for Senate bill No. 52, being an act to revise and amend chapter 155 of the General Statutes of Missouri, concerning habeas corpus, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 23 for Senate bill No. 52, entitled An act to revise and amend chapter 155 of the General Statutes of the State of Missouri, concerning habeas corpus; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burrows, Campbell of Atchison,

Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Mr. Speaker—104.

NOES—Mr. Dade—1.

ABSENT—Messrs. Brady, Brewer, Burford, Carroll, Chitwood, Dale, Farr, Freed, Haynes, Harrigan, Harrington, Hynes, Knight, Miles, McCormick of St. Louis city, Patterson of Schuyler, Pollock, Pollard, Taylor, Turner, Vancleve, Waggener and Wiley—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Dawson, Dryden, Finks, Gwynne, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 25 for Senate bill No. 52 (substitute 25), being An act to revise and amend chapter 157 of the General Statutes of Missouri, concerning quo warranto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 25 for Senate bill No. 52, entitled An act to revise and amend chapter 157 of the General Statutes of the State of Missouri, concerning quo warranto; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow,

Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Wisby, Withers and Mr. Speaker—101.

NOES—Messrs. Dade and Ingram—2.

ABSENT—Messrs. Brady, Brown, Carroll, Dale, Dawson, Dryden, Farr, Gwynne, Hayes, Haynes, Harrigan, Harrington, Hynes, Knight, Lesueur, Miles, McCormick of St. Louis city, Manistre, Pollock, Smith of Cedar, Taylor, Turner, Vaucleve, Waggener, Wiley and Windes—26.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Finks, Freed, Moler and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 27 for Senate bill No. 52, being An act to revise and amend chapter 159 of the General Statutes of the State of Missouri, concerning judgments, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute No. 27 for Senate bill No. 52, entitled An act to revise and amend chapter 159 of the General Statutes of the State of Missouri, concerning judgments; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm,

Ingram, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—103.

NOES—Mr. Dade—1.

ABSENT—Messrs. Bohannon, Burford, Carroll, Dale, Dawson, Dryden, Farr, Gwynne, Haynes, Harrington, Harrigan, Johnson, Knight, Maynard, Miles, McCormick of St. Louis city, Pollock, Souder, Taylor, Tiernan, Vancleve, Wiley, Wisby and Waggener—24.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Finks, Freed, Moler and Younger—7.

SICK—Messrs. Bashaw, Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Turner—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173 of the General Statutes of the State of Missouri, concerning costs in civil cases, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173 of the General Statutes of the State of Missouri, concerning costs in civil cases; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre,

Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—106.

NOES—Mr. Dade—1.

ABSENT—Messrs. Bowman, Carroll, Dale, Dawson, Farr, Gwynne, Haynes, Harrigan, Harrington, Knight, Maynard, Miles, McCormick of St. Louis city, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—21.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 61, entitled An act concerning oaths and affirmations; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—100.

NOES—Messrs. Bashaw, Bowman, Burford, Collins and Dade—5.

ABSENT—Messrs. Carroll, Dale, Dawson, Farr, Gwynne, Hayes, Haynes, Harrigan, Harrington, Hynes, Knight, Maynard, Miles, Mott, McCormick of St. Louis city, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 1 for Senate bill No. 62, entitled An act to revise and amend chapter 103 of the General Statutes of the State of Missouri, concerning estates in real property; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Wells, Weygandt and Withers—97.

NOES—Messrs. Dade, Foster, Hall, Hynes, Ingram, Whitaker and Mr. Speaker—7.

ABSENT—Messrs. Bonham, Carroll, Dale, Dawson, Farr, Gwynne, Haynes, Harrigan, Harrington, Knight, Mackey, Maynard, Miles, McCormick of St. Louis city, O'Malley, Pollock, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wiley, Windes and Wisby—25.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Moler and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to revise and amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was taken up.

Mr. Booth offered the following amendment:

Amend by striking out "section 39;" which was read.

Mr. McDaniel offered the following substitute for the amendment:

Strike out all after the words "real estate" and insert the words "inconsistent with this act are hereby repealed;" which was read and not agreed to.

The question recurring on agreeing to the amendment, it was agreed to.

The bill was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Wells, Weygandt, Whitaker, Windes and Withers—105.

NOES—Mr. Dade—1.

ABSENT—Messrs. Anderson, Burford, Carroll, Chitwood, Dale, Dryden, Farr, Freed, Haynes, Harrigan, Harrington, Knight, Maynard, McCormick of St. Louis city, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Warren, Wiley, Wisby and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Gwynne, Moler and Younger—6.

SICK—Messrs Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Hall moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was taken up.

Mr. Davis offered the following amendment :

Amend by striking out "section 3;" which was read.

Mr. Riley offered the following substitute for the amendment :

Amend section 3 by adding the following words after the word "acts," "in relation to conveyances of real estate by aliens;" which was read and not agreed to.

The question recurring on agreeing to the amendment, it was agreed to.

The bill was then read the third time and passed by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Greer, Hayes, Hall, Ham, Hammons, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistree, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Windes and Withers—92.

NOES—Messrs. Creager, Dade, McElvain, Patterson of Schuyler, Whitaker and Mr. Speaker—6.

ABSENT—Messrs. Alldridge, Brewer, Burford, Carroll, Chilton, Cowan of Holt, Dale, Dawson, Farr, Gray, Gwynne, Hale, Haynes, Harrigan, Harrington, Ingram, Knight, Lackland, Maynard, McCormick of St. Louis city, Pollock, Powell, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—30.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer and unlawful detainer; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Moler, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Smith of Cedar, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes and Withers—98.

NOES—Messrs. Beckner, Cowan of Christian, Dade and Mr. Speaker—4.

ABSENT—Messrs. Booth, Burford, Carroll, Crowther, Dale, Dawson, Farr, Gwynne, Hale, Haynes, Harrigan, Harrington, Johnson, Knight, Maynard, Miles, Mott, McCormick of St. Louis city, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—26.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle, and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 1 for Senate bill No. 81, entitled An act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler,

Phelan, Pollard, Powell, Powers, Price Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Wells, Weygandt, Whitaker, Windes and Withers—97.

NOES—Messrs. Dade and Mr. Speaker—2.

ABSENT—Messrs. Alldridge, Andrews, Burford, Carroll, Chitwood, Collins, Crowther, Dale, Farr, Freed, Hale, Haynes, Harrigan, Harrington, Kendall, Knight, Manistre, Maynard, McCormick of St. Louis city, Pepper, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Warren, Wiley and Wisby—29.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Dawson, Dryden, Finks, Gwynne, Moler, and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 2 for Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of Missouri, concerning boatmen; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes and Withers—100.

NOES—Messrs. Dade and Mr. Speaker—2.

ABSENT—Messrs. Burford, Carroll, Dale, Dougherty, Farr, Gwynne, Hall, Hale, Haynes, Harrigan, Harrington, Ingram, Knight, Manistre, Mott, Maynard, McCormick of St. Louis city, Pepper, Pollock, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—26.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle, and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Settles moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 3 for Senate bill No. 81, entitled An act to revise and amend that portion of title 42 of navigation and salvage being chapter 193 of the General Statutes of Missouri, concerning boats and vessels; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Créager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Foster, Gray, Greer, Hayes, Hall, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Warren, Wells, Weygandt, Whitaker, Windes and Withers—101.

NOES—Messrs. Dade, Ewing and Mr. Speaker—3.

ABSENT—Messrs. Andrews, Bowman, Burford, Carroll, Dale, Dawson, Farr, Gwynne, Hale, Haynes, Harrigan, Harrington, Ingram, Knight, Maynard, McCormick of St. Louis city, Phelan, Souder, Taylor, Turner, Vancleve, Waggener, Wiley and Wisby—24.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Younger and Moler—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Bonham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Wells, the House adjourned until to-morrow morning at 9 o'clock.

SIXTY-FIFTH DAY—FRIDAY, March 28, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 489, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, acts 1871-2, approved March 30, 1872, having had the same under consideration, beg leave to report said bill back to the House without recommendation; which was read.

House bill No. 489; was taken up, and, on motion, ordered engrossed and printed.

Mr. Cox, from the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred House bill No. 513, entitled An act to require the Governor to appoint a committee of the General Assembly to examine the State institutions, beg leave to report that they have considered the same and recommend that it do pass with the following amendments; which was read.

House bill No. 513, entitled An act to require the Governor to appoint a committee of the General Assembly to examine the State institutions; was taken up, with the following amendments, recommended by the Committee on Permanent Seat of Government:

Amendment No. 1—Strike out of section 1, after the word "appoint," in the fourth line, and insert the following: "Two Senators and four Representatives elect, as a committee to visit and examine the Asylum, University, Normal Schools and other Institutions, supported in whole or in part by the State;" which was read and agreed to.

Amendment No. 2—Amend section 2, by adding after the word "meet," in the third line, "at such time and place as may be designated by the Governor."

Amend by adding the letter "S" to the words, "committee" and "accountant," wherever they occur in this bill; which was read and agreed to.

Amendment No. 3—Amend section 2, by striking out all after the word "shall," in fifth line, and insert in lieu thereof, "divide themselves into two committees of three each, and proceed to divide the work of examining said institutions as may seem advantageous, as provided for in this act, and said committees are hereby authorized to employ two expert accountants; which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Mr. Burrows, from the Committee on Agriculture, submitted the following report;

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 477, entitled An act to repeal section 5 of chapter 6 of Wagner's Missouri Statutes, and renumbering other sections therein, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 477, entitled An act to repeal section 5 of chapter 6 of Wagner's Missouri Statutes, entitled animals, restraint of stallions, rams, bulls, boars and diseased animals, and renumbering other sections in said chapter; was taken up, and, on motion, was ordered engrossed and printed,

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators, and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war, and find the same truly and correctly enrolled; which was read.

House joint and concurrent resolution No. 3, entitled Joint and concurrent resolution instructing our Senators, and requesting our Representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war; was taken up, read at length by the clerk, signed by the Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Pepper introduced bill No. 597, entitled An act to enable plaintiffs litigant to have service of process on foreign corporations; which was read the first time and laid over.

Mr. Vancleve introduced bill No. 598, entitled An act for the protection of coal mines; which was read the first time and laid over.

Mr. Ragan presented a petition from the county court of Jackson county, and other citizens of said county, praying the Legislature that the law of May 2, 1877, regulating the compensation of collectors, be amended, so that the collector of Jackson county may receive one and three-fourths per cent. on amount of tax collected; which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. Dougherty introduced bill No. 599, entitled An act to create a State Board of Health, and to regulate the practice of medicine and surgery in the State of Missouri; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 600, entitled An act to amend section 50 of chapter 116 of the General Statutes of the State of Missouri, entitled of curators, guardians and wards; which was read the first time and laid over.

Mr. Mahn introduced bill No. 601, entitled An act to amend an act making illegal voting a felony, and prescribing its punishment, and making an attempt at illegal voting a misdemeanor, and prescribing its punishment; which was read the first time and laid over.

Mr. Powell introduced bill No. 602, entitled An act regulating the interest of money; which was read the first time and laid over.

Mr. Whitaker was granted leave of absence for seven days.

Senate substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment; was called up and read the first time.

Mr. Price offered the following resolution:

Resolved, That this House will not receive and consider any bills introduced after the 15th day of April, unless it may be such bills as the Revision Committee may report; which was read, and laid over under the rules.

Senate bill No. 235, entitled An act to establish a Board of Immigration, and to prescribe the duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto; was called up, read the second time, and, on motion, referred to the Committee on Immigration.

Senate bill No. 279, entitled An act to amend an act entitled an act to amend chapter 98 of the General Statutes of the State of Missouri, approved February 25, 1869, concerning the selling of wine by wine-growers; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

Senate bill No. 138, entitled An act directing the State Board of Assessment and Equalization to assess, adjust and equalize the rail-

road property of the State of Missouri, from the first day of February, 1873, to the first of August, 1873, and to direct and enforce the collection of taxes thereon; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 147, entitled An act to repeal chapter 118 of the General Statutes of Missouri, entitled of colored apprentices; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 301, entitled An act providing for furnishing the Joint Committee on Revision of the Statutes with copies of all laws of a general nature passed by the 30th General Assembly; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bills Nos. 127 and 146, entitled An act to appropriate money for the payment to Winfield S. Thompson, John L. Herndon and Mrs. Kate C. Mitchell for outstanding Union military bonds; was called up, read the second time, and, on motion, referred to the Committee on Claims.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 12 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning witnesses; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 30 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, concerning the establishing of land boundaries; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 13 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, relating to the perpetuation of testimony; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 11 for Senate bill No. 52, entitled An act to revise and amend chapter 143 of the General Statutes of the State of Missouri, concerning evidence, statutes, public records and documents; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 591, entitled An act regulating the assessment and taxation of notes and other evidences of indebtedness; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 592, entitled An act to regulate the rate of interest; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 593, entitled An act to reorganize and diminish the number of judicial circuits, and prescribing the times of holding courts therein, and repealing an act entitled an act dividing the State into judicial circuits, and prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 594, entitled An act to authorize the State Auditor to allow the board bills of Daniel Peterson, jailer of Madison county; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 595, entitled An act to amend an act entitled an act for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 596, entitled An act to enable physicians and surgeons to enroll as such, who were entitled to enroll, under the act entitled an act to regulate the practice of medicine and surgery in the State of Missouri, approved March 27, 1874, and who have failed from reasonable cause to do so; was called up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

Mr. Carleton moved to reconsider the vote by which House bill No. 156 was ordered to engrossment and printing; which was agreed to.

Mr. Carleton offered a substitute for House bill No. 156, entitled An act to provide for the formation of drainage districts, to reclaim and drain swamp lands of this State.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

House bill No. 169, entitled An act concerning the duties of sheriffs and constables in the State of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Phelan, Pollock, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Weygandt, Whitaker, Wiley and Mr. Speaker—90.

NOES—Messrs. Campbell of Atchison, Harrison, Larimore, McIntyre, Organ, Pepper, Price, Settles, Tevis, Turner, Wells, Windes and Withers—13.

ABSENT—Messrs. Arnold, Ballew, Bashaw, Brady, Carroll, Cox, Davis, Dawson, Gwynne, Hammons, Harrington, Kneisley, Lackland, Lesueur, Manistre, Mudd of St. Louis, Pollard, Saunders, Smith of Cedar, Taylor, Vancleve, Waggener, Warren and Wisby—24.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Dryden, Finks, Freed, Moler, McDaniel and Younger—9.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan.—7.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 335, entitled An act classifying property for the purposes of taxation; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Ballew, Bashaw, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan

of Christian, Cox, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Ham, Harrigan, Harrington, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Mabrey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Souder, Smith of St. Louis city, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Mr. Speaker—83.

NOES—Messrs. Alldridge, Anderson, Arnold, Beckner, Berry, Booth, Bowman, Brown, Campbell of Atchison, Cowan of Holt, Craig, Dade, Drum, Hale, Haynes, Harrison, Hubbard, Hynes, Helm, Louthan, Lynn, Mackey, McCormick of Washington, McDaniel, McElvain, McKinney, Patterson of Schuyler, Pepper, Rawlings, Reynolds, Settles, Spring, Swank, Talbot and Withers—35.

ABSENT—Messrs. Burford, Chitwood, Davis, Dodson, Dryden, Freed, Hammons, Lockhart, Pollard, Saunders, Smith of Cedar and Waggener—12.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Finks, Gwynne Moler and Younger—6.

SICK—Messrs. Campbell of St. Louis city, Cooper, Morrison, Patterson of Linn, Pehle and Tiernan—6.

The emergency clause was not adopted, by the following vote :

AYES—Messrs. Adams, Andrews, Bashaw, Berryman, Bohannon, Bonham, Brady, Bryan, Burrows, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cox, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ellis, Farr, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Souder, Smith of St. Louis city, Taylor, Turner, Warren, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—76.

NOES—Messrs. Alldridge, Anderson, Arnold, Ballew, Beckner, Berry, Brown, Booth, Boulware, Bowman, Campbell of Atchison, Cowan of Christian, Cowan of Holt, Craig, Creager, Drum, Ewing, Haynes, Harrison, Hynes, Helm, Kendall, Louthan, Mackey, McDaniel, McElvain, McIntyre, McKinney, Patterson of Schuyler, Pepper, Pollard, Rawlings, Settles, Spring, Swank, Talbot, Tevis, Whitaker and Withers—39.

ABSENT—Messrs. Brewer, Burford, Davis, Dawson, Gwynne, Hubbard, Lackland, Miles, Pollock, Saunders, Smith of Cedar, Vancleve, Waggener and Wells—14.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Settles moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate concurrent resolution No. 5, entitled Joint and concurrent resolution instructing our Senators and requesting our representatives in Congress to procure, if possible, the enactment of a law, or the submission of a constitutional amendment to prevent the Federal courts from exercising or assuming jurisdiction in cases wherein any county or other subdivision of the State is or shall be a party; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

House bill No. 385, entitled An act to amend section 42 of chapter 160 of the General Statutes of the State of Missouri, entitled of executions; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Withers and Mr. Speaker—115.

ABSENT—Messrs. Burford, Chilton, Davis, Dawson, Gwynne, Haynes, Lackland, Maynard, O'Malley, Saunders, Smith of Cedar, Waggener and Whitaker—13.

ABSENT WITH LEAVE—Messrs. Dryden, Freed, Finks, Chitwood, Chenoweth, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Pehle, Tiernan and Patterson of Linn—7.

The title of the bill was read and agreed to.

Mr. Palmer moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which was agreed to.

House bill No. 235, entitled An act to amend section 2 of an act concerning mortgages, chapter 153 of the General Statutes, being chapter 99 of Wagner's Statutes of Missouri of 1872, and to add new sections to said chapter; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brown, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Hall, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Ingram, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Maynard, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—89.

NOES—Messrs. Ballew, Bowman, Brewer, Crow, Drum, Greer, Hayes, Ham, Helm, Kendall, Lackland, Louthan, Mabrey, Manistre, McCormick of St. Louis city, McDaniel, McIntyre, Pollard, Settles, Souder, Wells and Windes—22.

ABSENT—Messrs. Bryan, Burford, Cock, Davis, Dawson, Gwynne, Haynes, Hynes, Johnson, Kneisley, Miles, Mudd of Lincoln, O'Malley, Saunders, Smith of Cedar, Taylor, Whitaker and Waggener—18.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The emergency clause was not adopted, by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Brady,

Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Gray, Hayes, Hall, Hale, Hammons, Harrigan, Harrison, Hubbard, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Maynard, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Warren, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—85.

NOES—Messrs. Ballew, Bowman, Brewer, Cowan of Holt, Crow, Drum, Greer, Ham, Haynes, Harrington, Helm, Kendall, Lackland, Louthan, Mabrey, Manistre, Mudd of Lincoln, McCormick of St. Louis city, McIntyre, Pepper, Pollard, Souder, Taylor, Weils, Windes and Wisby—26.

ABSENT—Messrs. Bohannon, Burford, Chitwood, Cock, Creager, Davis, Freed, Hynes, Johnson, Miles, O'Malley, Pollock, Saunders, Settles, Smith of Cedar, Vancleve and Waggener—17.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Dryden, Finks, Gwynne, Moler, McDaniel and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Spring moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Diercks,

Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—108.

ABSENT—Messrs. Burford, Campbell of Atchison, Cock, Creager, Dade, Davis, Dawson, Gwynne, Hynes, Kendall, Miles, Pepper, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Swank, Waggener, Whitaker and Windes—21.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Dryden, Finks, Freed, Moler and Younger—7.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle, and Tiernan—7.

The title of the bill was read and agreed to.

Mr. McDaniel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 72, entitled An act to revise and amend title forty of the General Statutes of Missouri, concerning landlords and tenants, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of St.

Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Wiley, Wisby and Withers—103.

NOES—Messrs. Dade, Ingram and Mr. Speaker—3.

ABSENT—Messrs. Burford, Campbell of Atchison, Cock, Cowan of Christian, Davis, Dawson, Farr, Gwynne, Hubbard, Hynes, Louthan, Miles, Mudd of Lincoln, McKill, Pepper, Saunders, Smith of Cedar, Smith of St. Louis city, Waggener, Weygandt, Whitaker and Windes—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chitwood, Chenoweth, Dryden, Finks, Freed, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. McDaniel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106, of the General Statutes of the State of Missouri, concerning frauds and perjuries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 202, entitled An act to revise and amend title 82, chapter 106 of the General Statutes of the State of Missouri, concerning frauds and perjuries; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chilton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Ellis, Ewing, Foster, Gray, Hayes, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder,

Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Withers—97.

NOES—Messrs. Alldridge, Arnold, Beckner, Dade, Drum, Greer, Hall, Hale, Ingram, Mabrey, McCormick of St. Louis city, Pepper and Mr. Speaker—13.

ABSENT—Messrs. Andrews, Bonham, Campbell of Atchison, Carroll, Chitwood, Cock, Cowan of Holt, Davis, Farr, Freed, Hynes, Kendall, Knight, Miles, Saunders, Smith of Cedar, Vancleve, Waggener and Whitaker—19.

ABSENT WITH LEAVE—Messrs. Chenoweth, Dawson, Dryden, Finks, Gwynne, Maynard, Moler and Younger—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—6.

The title of the bill was read and agreed to.

Mr. McDaniel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 416, entitled An act to amend section 35 of an act entitled an act to provide for appeals and writs of error in civil cases, concerning practice in the supreme court, and repealing chapter 135 of the General Statutes, and an act entitled an act to amend section 9 of chapter 172, of title 34, of the General Statutes of Missouri, concerning practice in civil cases, approved January 24, 1868, approved February 28, 1871, the same being section 35 of article 13 of chapter 110 of Wagner's Statutes of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Drum, Ellis, Ewing, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—103.

ABSENT—Messrs. Bonham, Campbell of Atchison, Carroll, Cock,

Davis, Dawson, Dilley, Dougherty, Farr, Gwynne, Harrigan, Hynes, Kneisley, Miles, Pepper, Pollock, Saunders, Settles, Smith of Cedar, Swank, Tevis, Whitaker, Wiley and Waggener—24.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Dryden, Finks, Freed, Maynard, McDaniel, Moler and Younger—9.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 424, entitled An act to establish a board of immigration, and prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto; was taken up, read a third time, and failed to pass by the following vote:

AYES—Messrs. Anderson, Andrews, Beckner, Berry, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Collins, Cowan of Holt, Craig, Crow, Crowther, Dade, Davis, Dilley, Dougherty, Ellis, Farr, Gray, Hayes, Hall, Hammons, Haynes, Harrigan, Harrington, Hubbard, Johnson, Kneisley, Knight, Lesueur, Lockhart, Mahn, Manistre, Maynard, Mott, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Phelan, Pollock, Pollard, Powell, Ragan, Rawlings, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Vancleve, Weygandt, Wiley, Wisby and Mr. Speaker—66.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Bohannon, Boulware, Brown, Burford, Burrows, Coleman, Cook, Cowan of Christian, Creager, Dale, Diercks, Drum, Ewing, Foster, Greer, Hale, Ham, Harrison, Helm, Ingram, Kendall, Larimore, Louthan, Lynn, Mabrey, Mudd of Lincoln, McCormick of Washington, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Powers, Price, Riley, Reynolds, Souder, Tevis, Turner, Warren, Wells, Windes and Withers—49.

ABSENT—Messrs. Chitwood, Cooper, Dryden, Freed, Hynes, Lackland, Miles, Saunders, Settles, Smith of Cedar, Waggener and Whitaker—12.

ABSENT WITH LEAVE—Messrs. Chenoweth, Cox, Dawson, Finks, Gwynne, Mackey, McDaniel, Moler and Younger—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—7.

Mr. Mudd of St. Louis was reported sick.

Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes of Missouri, entitled offenses against public morals and decency, or the public police, and miscellaneous offenses, and to substitute a new section therefor; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wiley, Windes, Withers and Mr. Speaker—107.

NOES—Messrs. Palmer and Wisby—2.

ABSENT—Messrs. Carroll, Chitwood, Freed, Hynes, Kneisley, Lackland, Manistre, Miles, Pollock, Rawlings, Saunders, Smith of Cedar, Vancleve, Waggener and Whitaker—15.

ABSENT WITH LEAVE—Messrs. Chenoweth, Cox, Dawson, Dryden, Finks, Gwynne, Mackey, Maynard, Moler, McDaniel and Younger—11.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Mudd of St. Louis, Morrison, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Harrigan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 26, entitled An act to regulate the fees of the collector of the State and county revenue, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 26 was taken up.

Mr. Larimore moved that the bill be engrossed and printed.

Mr. Davis moved to lay the motion to engross and print on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Arnold, Bashaw, Booth, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Chilton, Cock, Cowan of Holt, Craig, Crow, Crowther, Davis, Dilley, Drum, Farr, Foster, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Harrington, Helm, Johnson, Lackland, Louthan, Mabrey, Mahn, Mott, McDaniel, McGarry, McIntyre, Phelan, Pollard, Ragan, Settles, Smith of St. Louis city, Taylor, Tevis, Turner, Wells, Weygandt, Wiley and Windes—50.

NOES—Messrs. Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Burrows, Cloud, Coleman, Collins, Cook, Cowan of Christian, Creager, Dade, Dale, Diercks, Dougherty, Ellis, Ewing, Harrison, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Manistre, Mudd of Lincoln, McCormick of Washington, McElvain, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Powers, Price, Rawlings, Riley, Reynolds, Souder, Spring, Swank, Talbot, Warren, Wisby and Withers—54.

ABSENT—Messrs. Adams, Berryman, Brady, Carroll, Dawson, Gray, Gwynne, Hall, Hynes, Miles, McCormick of St. Louis city, McKill, O'Malley, Pollock, Powell, Saunders, Smith of Cedar, Vancleve, Waggener, Whitaker and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Chenoweth, Chitwood, Cox, Dryden, Finks, Freed, Mackey, Maynard, Moler and Younger—10.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

Mr. Wells moved that the further consideration of the bill be passed over informally; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, March 28, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to prohibit railroad companies from cleaning stock cars on any but enclosed lands;

An act to amend sections 1, 2, 3, 4 and 5 of chapter 147 of Wagner's Missouri Statutes, entitled of the destruction of wolves, being

same as sections 8, 9, 10, 11 and 12 of chapter 78 of the General Statutes of Missouri;

Joint and concurrent resolution instructing our Senators and requesting our representatives in Congress to favor the passage of an act giving pensions to the surviving soldiers of the Mexican war.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 400, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 400 was taken up, and, on motion, passed over informally.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 547, entitled An act to relieve the financial wants of the State, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 547, entitled An act to relieve the financial wants of the State; was taken up.

Mr. Bashaw offered the following amendment:

Amend section 3 by adding after the words "eleemosynary institutions," except those located at Fulton; which was read.

On motion, the amendment was laid on the table.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 301, entitled An act providing for furnishing the Joint Committee on Revision of the statutes, with copies of all laws of a general nature passed by the Thirtieth General Assembly, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 301 was taken up, and, on motion, laid over for third reading.

Mr. Dade presented a petition from citizens of St. Louis, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State, entirely prohibiting the manufacture

and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Leave of absence was granted Mr. Alldridge for five days.

Leave of absence was granted Mr. Hall for four days.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House resolution entitled Resolution of instruction to judiciary, House of Representatives, on the subject of elections and manner of voting, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Constitutional Amendments; which was read and adopted.

On motion of Mr. Bonham, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

Mr. Mott was granted leave of absence for one day.

Mr. Harrison was granted leave of absence for one day.

Mr. Freed was granted leave of absence for three days.

Mr. Tevis was granted leave of absence for two days.

House bill No. 402, entitled An act to amend sections 16 and 17 of chapter 134 of the General Statutes of the State of Missouri, entitled of the supreme court; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby and Withers—94.

NOES—Messrs. Hynes and Mr. Speaker—2.

ABSENT—Messrs. Anderson, Bowman, Brady, Burford, Carroll, Chilton, Chitwood, Cooper, Dryden, Foster, Harrigan, Harrington,

Hynes, Kendall, Knight, Miles, McDaniel, McIntyre, O'Malley, Rawlings, Saunders, Smith of Cedar, Swank, Taylor, Waggener, Whitaker and Wiley—27.

ABSENT WITH LEAVE—Messrs. Alldridge, Chenoweth, Cox, Dawson, Freed, Gwynne, Hall, Mackey, Maynard, Moler, Mott, Tevis and Younger—13.

SICK—Messrs. Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—7.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kniesley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—99.

ABSENT—Messrs. Bowman, Brady, Burford, Chilton, Chitwood, Collins, Cooper, Foster, Harrigan, Kendall, Knight, O'Malley, Rawlings, Saunders, Smith of Cedar, Swank, Taylor, Waggener, Whitaker and Wiley—20.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Cox, Dawson, Dryden, Freed, Gwynne, Hall, Mackey, Maynard, Moler, Mott, McDaniel, McIntyre, Tevis and Younger—16.

SICK—Messrs. Campbell of St. Louis city, Dodson, Harrington, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State and other persons from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary funds; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—104.

ABSENT—Messrs. Bowman, Brady, Burford, Chilton, Dawson, Gwynne, Hall, Harrington, Harrigan, Knight, McDaniel, McIntyre, Mott, O'Malley, Rawlings, Saunders, Smith of Cedar, Swank, Taylor, Tevis, Waggener, Whitaker and Wiley—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Chitwood, Cox, Dryden, Freed, Mackey, Maynard, Moler and Younger—10.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES — Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Lockhart, Lynn, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—100.

ABSENT — Messrs. Anderson, Bowman, Brady, Burford, Chilton, Chitwood, Cooper, Cowan of Holt, Dilley, Dryden, Harrigan, Harrington, Knight, McDaniel, McIntyre, O'Malley, Rawlings, Saunders, Smith of Cedar, Swank, Taylor, Waggener, Whitaker and Wiley—24.

ABSENT WITH LEAVE—Messrs. Chenoweth, Cox, Dawson, Freed, Gwynne, Hall, Mackey, Maynard, Moler, Mott, Tevis and Younger—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitutes for Senate bills Nos. 74 and 212, being An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning saline, State and seminary lands, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bills Nos. 74 and 212, entitled An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning saline, State and seminary lands; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells, Weygant, Withers and Mr. Speaker—93.

NOES—Messrs. Cowan of Christian, Dade and Hale—3.

ABSENT—Messrs. Bowman, Brady, Burford, Chilton, Chitwood, Cooper, Davis, Harrigan, Hynes, Knight, Miles, O'Malley, Pepper, Rawlings, Saunders, Smith of Cedar, Swank, Taylor, Waggener, Whitaker, Wiley, Windes and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Cox, Dawson, Dryden, Freed, Gwynne, Hall, Mackey, Maynard, Moler, Mott, McDaniel, McIntyre, Tevis and Younger—16.

SICK—Messrs. Campbell of St. Louis city, Dodson, Harrington, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tierman—9.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate amendments to House substitute for House bills Nos. 130, 116, 172 and 167, were ordered printed.

Senate bill No. 182, entitled An act to amend section 2 of an act entitled an act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chapter 83 of the General Statutes, approved April 14, 1877; was taken up.

Mr. Settles offered the following amendment:

Amend section 2 of printed bill by striking out the word "or," in the second line, after the word "plantation," and insert in lieu thereof the word "and;" which was read.

Mr. Bowman moved to lay the amendment on the table; which was agreed to.

Senate concurrent resolution No. 8, entitled Concurrent resolution in reference to the copyright of reports of the decisions of the supreme court of the United States; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Withers and Mr. Speaker—100.

NOES—Mr. Cowan of Christian—1.

ABSENT—Messrs. Brady, Burford, Carroll, Chilton, Dawson, Farr, Gwynne, Hall, Harrigan, Harrington, Hubbard, Knight, Miles, Mott, Manistre, O'Malley, Rawlings, Saunders, Taylor, Tevis, Waggener, Whitaker and Wiley—23.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Cox, Dryden, Freed, Mackey, McDaniel, Maynard, Moler, McIntyre and Younger—11.

SICK—Messrs. Campbell of St. Louis city, Cooper, Dodson, Morrison, Patterson of Linn, Mudd of St. Louis, Pehle and Tiernan—8.

The title of the resolution was read and agreed to.

Mr. Wells moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 289, entitled An act fixing the fees of circuit and county clerks; was taken up.

Mr. Davis moved to reconsider the vote by which the bill was ordered engrossed; which was agreed to.

On motion, the bill was referred to the Committee on Judiciary.

House bill No. 322, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter, to be called section 15; was taken up, read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Bonham, Bowman, Brewer, Campbell of Atchison, Chitwood, Cloud, Collins, Crowther, Davis, Dilley, Drum, Foster, Greer, Hale, Hynes, Johnson, Kendall, Kneisley, Lynn, Mabrey, Manistre, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, Organ, Palmer, Phelan, Powers, Price, Souder, Smith of St. Louis city, Swank, Talbot, Warren and Windes—40.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Berryman, Bohannon, Booth, Boulware, Brown, Bryan, Burrows, Carleton, Cock, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Hayes, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Lackland, Lesueur, Lockhart, Louthan, Mahn, McElvain, McKill, McKinney, Patterson of Schuyler, Pepper, Pollard, Powell, Riley, Reynolds, Settles, Smith of Cedar, Turner, Vancleve, Wells, Weygandt, Wisby, Withers and Mr. Speaker—58.

ABSENT—Messrs. Brady, Burford, Carroll, Chilton, Coleman, Cooper, Dale, Harrigan, Knight, Larimore, Miles, O'Malley, Pollock, Ragan, Rawlings, Saunders, Spring, Taylor, Waggener, Whitaker and Wiley—21.

ABSENT WITH LEAVE—Messrs. Anderson, Chenoweth, Cox, Dawson, Dryden, Freed, Gwynne, Hall, Mackey, Maynard, Moler, Mott, McDaniel, McIntyre, Tevis and Younger—16.

SICK—Messrs. Campbell of St. Louis city, Dodson, Harrington, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

Mr. Farr moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Missouri Statutes, entitled advertisements, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred Concurrent resolution No. 28, urging the passage of an act of Congress to allow the 15th and 16th regiments, Missouri cavalry volunteers, a bounty, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House Bill No. 301, entitled An act to amend section 3 of an act approved March 28, 1877, concerning the assessment and collection of taxes, and section 56 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 407 and 419, entitled An act to prevent swine from running at large in all counties of this State, when a majority of legal voters voting at any election, shall vote to restrain the same from running at large in such county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

On motion of Mr. Wells, the House adjourned until to morrow morning at 9 o'clock.

SIXTY-SIXTH DAY—SATURDAY, March 29, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Berryman, the further reading was dispensed with.

Mr. Johnson was reported sick.

Leave of absence was granted Mr. Boulware for three days.

Leave of absence was granted Mr. Larimore for two days.

House Concurrent resolution No. 28, entitled Concurrent resolution urging the passage of an act of Congress to allow the 15th and 16th regiments Missouri cavalry volunteers, a bounty; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Cock, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Farr, Gray, Haynes, Harrington, Ingram, Kendall, Kniesley, Lackland, Lesueur, Louthan, Mabrey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McCormick of St. Louis city, McGarry, McKinney, Palmer, Patterson of Schuyler, Phelan, Pollock, Powell, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Vancleve, Warren, Wells, Weygandt, Wiley, Withers and Mr. Speaker—73.

NOES—Messrs. Adams, Anderson, Ballew, Chitwood, Cloud, Cowan of Holt, Crow, Ewing, Greer, Hayes, Hale, Ham, Hammons, Harrigan, Hubbard, Helm, Lockhart, Lynn, McCormick of Washington, McDaniel, McElvain, McKill, Organ, Pollard, Riley, Souder, Spring, Swank, Talbot and Turner—30.

ABSENT—Messrs. Brady, Chilton, Cooper, Dryden, Finks, Foster, Hynes, Knight, McIntyre, O'Malley, Pepper, Rawlings, Settles, Taylor, Waggener, Windes and Wisby—17.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Dawson, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—15.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The title of the resolution was read and agreed to.

Mr. Collins moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 273, entitled An act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the city of St. Louis, approved February 2nd, 1874, in which the concurrence of the House is respectfully requested; which was read.

House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Craig, Cooper, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Kendall, Kneisley, Lesueur, Lockhart, Mabrey, Mahu, Manistre, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Wiley and Withers—88.

NOES—Messrs. Alldridge, Andrews, Beckner, Bonham, Cowan of Christian, Dade, Dale, Ingram, Louthan, Lynn, Miles, Pollard, Powell, Souder, Smith of Cedar, Wells and Mr. Speaker—17.

ABSENT—Messrs. Adams, Chilton, Creager, Foster, Knight, Lackland, O'Malley, Rawlings, Settles, Taylor, Waggener, Weygandt, Windes and Wisby—14.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Dawson, Dryden, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—16.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 301, entitled An act to provide for furnishing the Joint Committee on Revision of the Statutes, with copies of all laws of a general nature passed by the 20th General Assembly; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Warren, Wells, Weygandt, Wiley and Withers—105.

NOES—Mr. Speaker—1.

ABSENT—Messrs. Chilton, Collins, Cooper, Dryden, Foster, Knight, O'Malley, Pepper, Pollard, Rawlings, Taylor, Turner, Waggener, Windes and Wisby—15.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—14.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Ham, Hammons,

Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Wells, Weygandt, Wiley, Withers and Mr. Speaker—107.

ABSENT—Messrs. Chilton, Collins, Cooper, Davis, Dryden, Foster, Harrigan, Knight, O'Malley, Rawlings, Taylor, Waggener, Windes and Wisby—14.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—14.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Arnold moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Arnold moved to reconsider the vote by which House bill No. 424, entitled An act to establish a board of immigration, and to prescribe the duties and powers thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto, failed to pass on yesterday; which was agreed to.

The question being, shall the bill pass,

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Collins, Cowan of Holt, Craig, Crow, Crowther, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Finks, Gray, Hayes, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mahn, Manistre, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKinney, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Weygandt, Wiley, Wisby and Mr. Speaker—72.

NOES—Messrs. Adams, Alldridge, Ballew, Bohannon, Brown, Burford, Burrows, Chitwood, Coleman, Cook, Cowan of Christian, Creager, Dade, Dale, Diercks, Drum, Ewing, Greer, Hale, Ham,

Ingram, Kendall, Louthan, Mabrey, Miles, McCormick of Washington, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Riley, Reynolds, Souder, Smith of Cedar, Turner, Warren, Wells and Withers—39.

ABSENT—Messrs. Chilton, Cooper, Foster, Knight, O'Malley, Rawlings, Taylor, Waggener and Windes—9.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Dryden, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—15.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The emergency clause was not adopted by the following vote :

AYES—Messrs. Anderson, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Davis, Dawson, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Hayes, Hammons, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Lackland, Lesueur, Lockhart, Lynn, Mahn, Manistre, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Weygandt, Wiley and Mr. Speaker—73.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Bohannon, Brown, Burford, Burrows, Chitwood, Cook, Creager, Dade, Dale, Diercks, Drum, Greer, Hale, Ham, Ingram, Kendall, Kneisley, Louthan, Mabrey, Miles, McCormick of Washington, Organ, Palmer, Patterson of Schuyler, Pepper, Riley, Reynolds, Souder, Smith of Cedar, Turner, Warren, Wells and Withers—37.

ABSENT—Messrs. Chilton, Cooper, Dryden, Foster, Knight, O'Malley, Rawlings, Taylor, Waggener, Windes and Wisby—11.

ABSENT WITH LEAVE—Messrs. Boulware, Chenoweth, Cox, Freed, Gwynne, Hall, Harrison, Larimore, Mackey, Maynard, Moler, Tevis, Whitaker and Younger—14.

SICK—Messrs. Campbell of St. Louis city, Dodson, Johnson, Morrison, Mudd of St. Louis, Patterson of Linn, Pehle and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Bonham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined Senate substitute for

House bill No. 191, entitled An act to repeal sections 6, 7 and 8 of an act entitled an act in relation to the Social Evil Hospital and House of Industry, in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874, and find the same truly and correctly enrolled; which was read.

House bill No. 191, entitled An act to repeal sections 6, 7 and 8 of an act entitled an act in relation to the Social Evil Hospital and House of industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Senate substitute No. 25 for Senate bill No. 52, entitled An act to revise and amend chapter 157 of the General Statutes of the State of Missouri, concerning quo warranto; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 22 for Senate bill No. 52, entitled An act to revise and amend chapter 154 of the General Statutes of the State of Missouri, concerning trusts and trustees; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 6 for Senate bill No. 52, entitled An act to revise and amend chapter 138 of the General Statutes of the State of Missouri, concerning common law; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate bill No. 61, entitled An act to revise chapter 175 of title 37 of the General Statutes; concerning oaths and affirmations; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 24 for Senate bill No. 52, entitled An act to revise and amend chapter 156 of the General Statutes of the State of Missouri, concerning mandamus; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 339, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 391, entitled An act in relation to pawn-brokers, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 257, entitled An act for the punishment of executors, administrators, guardians, curators and trustees, for misappropriating or withholding money or property from rightful owners, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 257, entitled An act to provide for the punishment of executors, administrators, guardians, curators and trustees, for misappropriating or withholding money or property from rightful owners; was taken up, and, on motion of Mr. Hall, indefinitely postponed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 576, entitled An act to prohibit the discharge of fire-arms in the immediate vicinity of any court house, church, or building used for school or college purposes, having had the same under consideration, beg leave to report said bill back to the House without recommendation; which was read.

House bill No. 576; was taken up, and, on motion, ordered engrossed and printed.

Mr. Mott introduced bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts; which was read the first time and laid over.

Mr. Davis introduced bill No. 604, entitled An act to appropriate money out of the executor's and administrator's fund, the swamp land indemnity fund, and the road and canal fund; which was read the first time and laid over.

Mr. Arnold introduced bill No. 605, entitled An act permitting publishers of newspapers and other periodicals, in libel suits, to introduce certain evidence in mitigation of damages; which was read the first time and laid over.

Mr. Lesueur presented a petition from citizens of this State, who served in the army during the Mexican war, praying the Legislature to instruct our Senators, and request our Representatives in Congress, to use their influence in favor of measures granting them pensions; which was read, and, on motion, referred to the Committee on Federal Relations.

On motion of Mr. Bohannon, the House adjourned until Monday morning at 9 o'clock.

SIXTY-SEVENTH DAY—MONDAY, March 31, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Anderson, the further reading was dispensed with.

Leave of absence was granted to Mr. Mott for one day.

Leave of absence was granted to Mr. Crowther for three days.

Mr. Kneisley introduced a joint and concurrent resolution, entitled Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the State constitution in relation to the office of the clerk of the supreme court and court of appeals of St. Louis, Missouri; which was read the first time and laid over.

Mr. Powers introduced bill No. 606, entitled An act to amend an act entitled an act in relation to the public institutions of the State; which was read the first time and laid over.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, March 31, 1879.

To the HON. J. ED. BELCH, Speaker of the House of Representatives:
I return to the House with my approval indorsed thereon, bills of the following titles:

An act to repeal an act entitled An act for establishing and keeping in repair roads in the county of St. Louis, approved February 28, 1845, and all acts supplementary thereto.

An act to repeal an act entitled An act for the benefit of the jailer of St. Louis county, approved February 15, 1865, and also an act entitled an act concerning the common jail and jailer thereof in St. Louis county, approved February 27, 1866.

An act to repeal an act entitled An act to work roads in St. Louis county, approved March 12, 1849.

An act to repeal an act entitled An act regulating the fees of grand and petit jurors and of witnesses in St. Louis county, approved March 5, 1855.

An act to repeal an act entitled An act in relation to the justices of the county court in St. Louis county, approved March 25, 1868.

An act to repeal an act entitled an act to provide for the payment of jurors in St. Louis county, approved March 27, 1845.

An act to repeal an act entitled An act in regard to the establishment and improvement of roads in St. Louis county, approved February 15, 1864, and all acts amendatory thereof and supplementary thereto.

An act to repeal an act entitled An act to provide a jury system in St. Louis county, approved March 3, 1857, and acts supplementary thereto and amendatory thereof.

An act to repeal an act entitled An act to provide for the erection of a house for the employment and support of the poor in the county of St. Louis, approved January 1, 1827, and an act supplementary thereto, approved January 12, 1831, and also an act entitled an act better to provide for the support of the poor in St. Louis county, approved March 1, 1855.

An act to repeal sections 6, 7 and 8 of an act entitled An act in relation to the Social Evil Hospital and House of Industry in the city of St. Louis, and the arrest of bawds and prostitutes in said city, approved March 28, 1874.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Campbell of Atchison introduced House bill No. 607, entitled An act regulating the interest of money ; which was read the first time and laid over.

Mr. Bonham offered the following resolution :

WHEREAS, It is contended that various reports made to this House by the several officers whose duty it is to report to the General Assembly in relation to the accounts of the Warden of the Missouri

Penitentiary, and the Warden's mind was unsettled and suspicious, that he requested an examination of his books by the Senate; and

WHEREAS, It becomes material to the members of this House, as well as in justice to the public, that these reports should be quieted, or, if any wrong exists, that it should be authoritatively ascertained, and to the end that we may act intelligently upon the matter; be it

Resolved, That the Committee on Penitentiary should make such inquiries into the same as may be necessary to enable them to make a satisfactory report to the House, so that the House may determine whether any further steps are necessary to be taken thereon; and to that end they may examine books, and subpoena and swear any witnesses they may deem necessary; which was read.

On motion of Mr. Bashaw, the resolution was laid over until tomorrow morning.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate joint and concurrent resolution No. 21, entitled Joint and concurrent resolution concerning the revision of the statutes.

In which the concurrence of the House is respectfully requested; which was read.

Senate substitute No. 3 for Senate bill No. 81, entitled An act to revise and amend that portion of title 42, of navigation and salvage, being chapter 193 of the General Statutes of Missouri, concerning boats and vessels; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Mr. Gwynne called up the resolution introduced by him on Friday, March 28, amending section 3 of article 6 of the rules of the House.

On motion, the resolution was laid on the table.

Senate joint and concurrent resolution No. 21, entitled Joint and concurrent resolution concerning the revision of the statutes; was called up and read the first time.

Mr. Dawson offered the following resolution:

Resolved, That the State Treasurer be requested to furnish the House with a statement of the amount of State revenue fund in the treasury at the time of the failure of the Mastin Bank, and whether or not any moneys belonging to said fund is now tied up in said bank; which was read and adopted.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

Senate substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation; was taken up.

Mr. Louthan offered the following amendments:

Amendment No. 1—Amend section 1, line 7, by striking out the words “a less,” and substituting “an.”

Amendment No. 2—Amend line 8, by striking out the word “than,” and substituting “proportionate to.”

Amendment No. 3—Amend line 9, by striking out the word “reduction,” and substituting “proportionate taxation.”

Amendment No. 4—Amend line 13, by adding after the word “occupation,” “and sales.”

Amendment No. 5—Amend line 15, by adding after the word “license,” “and tax;” which were read.

Mr. Wells moved that the further consideration of the bill and amendments be postponed until Wednesday, April 2d, and that the bill be recommitted to the Committee on Ways and Means, with instructions to report the same back to the House at that time; which was agreed to.

Senate bill No. 301, entitled An act providing for furnishing the Joint Committee on Revision of the Statutes, with copies of all laws of a general nature passed by the 30th General Assembly; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 175, entitled An act to repeal section 19 of chapter 206 of the General Statutes of Missouri, entitled offenses against public morals and decency, or the public police and miscellaneous offenses, and to substitute a new section therefor: was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 1, for Senate bill No. 62, entitled An act to revise and amend chapter 108 of the General Statutes of the State of Missouri, concerning estates and real property; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate concurrent resolution No. 8, entitled Concurrent resolution in reference to the copy-right of the reports of the decisions of the Supreme Court of the United States; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for House bill No. 144, entitled An act to authorize counties for themselves, and on behalf of townships therein, and cities and towns to compromise and redeem or fund their debts, beg leave to report that they have considered the same, and report it back with the accompanying amendments, without recommendation; which was read.

House bill No. 144; was taken up, with the following amendments, recommended by the Committee on Ways and Means:

Amendment No. 7—Amend section 6, by inserting in line 4 of the written bill before the word, “of the words of two thirds; which was read and agreed to.

Amendment No. 8—Amend section 6, by adding in line 4 of the written bill after the word “voters,” the words “voting at such election;” which was read and agreed to.

Amendment No. 9—Amend by adding a new section as follows:

Section 8. The act entitled An act to facilitate the settlement of county, city or other municipal bonded indebtedness, by composition with the holders of such bonds, approved March 27, 1875, and the act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877, and all other acts, general or special, in conflict with, or in any manner inconsistent with the provisions of this act be and the same are hereby repealed; which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have considered the same, and report it back without recommendation, with the accompanying amendments; which was read.

Senate bill No. 151; was taken up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend by striking out the word “thirty,”

wherever it occurs in the bill, and insert the word "nine," in lieu thereof; which was read and agreed to.

Amendment No. 2—Amend by inserting the words "city clerk," after the word "register," wherever it occurs in the bill; which was read and agreed to.

Amendment No. 3—Amend by striking out section No. 9, and insert in lieu thereof the following section, to be known as section 9, to-wit: Section 9. A lien such as is now provided for by law in favor of the State, for taxes due and unpaid on real estate, is hereby created in favor of such cities aforesaid for taxes due thereon, and for all interest and costs accrued thereon or incurred under this act, provided that all liens now existing in favor of said cities, by virtue of their charters is hereby retained, and the same may be enforced in like manner and with like effect as provided for in this act: which was read and agreed to.

Amendment No. 4—Amend by adding a new section to be known as section No. 10, as follows: Section No. 10. In all cases where any such city shall have assessed and levied taxes, general or special, on any real estate according to law, whether the same be delinquent or otherwise, and until the same are collected and paid with all costs, interest and penalties thereon, the mayor and council of any such city shall have full power to correct any errors which may appear in connection therewith, whether of valuation, subject to the provisions of the Constitution of this State, or description of the ownership, double assessment, omission from the assessment list, or books or otherwise, and to make such valuation, assessment and levy to conform in all respects to the requirements of the law; which was read and agreed to.

Amendment No. 5—Amend by adding to the end of section No. 4 as follows: And, provided further, that in cities of thirty thousand or more inhabitants the attorney or attorneys appointed by the collector with the approval of the mayor of such cities for the purpose of prosecuting suits for taxes under this act shall be entitled to a fee in any suit, such fee not exceeding five per cent. after judgment is obtained, collected and paid into the treasury as may be agreed upon, and if such taxes are paid before judgment is obtained, the attorney collecting the same shall be entitled to a fee not exceeding two per cent. on all sums collected and paid into the treasury; which was read and agreed to.

Amendment No. 6—Amend by adding a new section, to be numbered section 11, as follows: Section 11. That section No. 184 of an act entitled An act concerning the assessment and collection of the revenue, approved March 30, 1872, and all acts and parts of acts,

whether special or general, inconsistent or in conflict with this act are hereby repealed; which was read and agreed to.

Amendment No. 7—Amend section 4 by striking out all after the word “cities,” in line 7 of printed bill, down to the words “and for,” in line 10 of the same section; which was read and agreed to.

Amendment No. 8—Amend section 4 by striking out the proviso in section , beginning with the word “provided,” in line 21 of said section in printed bill; which was read and agreed to.

Amendment No. 9—Amend section No. 4 by striking out lines 55 and 56 in printed bill; which was read and agreed to.

On motion, the bill, as amended, was laid over informally.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 360, entitled An act to amend section 1 and 2 of an act entitled an act to provide for a uniform system of county courts, approved April 27th, 1877, beg leave to state that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 360 was taken up, and, on motion, ordered engrossed and printed.

Senate substitute for Senate bills Nos. 74 and 212, entitled An act to amend and revise title 18, chapter 50 of the General Statutes of Missouri, concerning the saline, State and Seminary lands; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 78, entitled An act to revise and amend title 35, chapter 173 of the General Statutes of Missouri, concerning costs in civil cases; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Burrows, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 550, entitled An act to provide for the redemption of real estate sold under foreclosure of mortgage, deed of trust or execution, and to repeal all acts and parts of acts inconsistent herewith, beg leave to report that they have considered the same, and report it back to the House without recommendation, and with the enclosed amendment; which was read.

House bill No. 550, was taken up with the following amendment, recommended by the Committee on Agriculture:

Amend by striking out the words “two years,” wherever they may occur, and insert the words “one year;” which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 546, entitled An act defining the jurisdiction of common pleas courts, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

House bill No. 546, was taken up, and, on motion, ordered engrossed and printed.

Senate substitute No. 23 for Senate bill No. 52, entitled An act to revise and amend chapter 155 of the General Statutes of the State of Missouri, concerning habeas corpus; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 519, entitled An act to amend section 2 of chapter 142 of the General Statutes, by adding form for writ of attachment under garnishment, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass: which was read.

House bill No. 519, was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and on motion, referred to the Joint Committee on Revision.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 534, entitled An act to authorize county courts to correct land entries, patents and records, beg leave to report that they have considered the same, and recommend that it do pass, with amendment to the title herewith submitted; which was read.

House bill No. 534, was taken up with the following amendment, recommended by the Committee on Judiciary:

Amend the title by inserting the word "swamp," before the word "land," in the same; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 561, entitled An act to authorize the board of

trustees of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 561, was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 147, entitled An act to repeal chapter 118 of the General Statutes of Missouri, entitled of colored apprentices, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 147, was taken up, and, on motion, referred to the Committee on Revision.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 12 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning witnesses, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 12 for Senate bill No. 52, was taken up, and, on motion, laid over.

On motion of Mr. Mudd of Lincoln, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

The Speaker laid before the House, the following communication from the State Auditor:

AUDITOR'S OFFICE,
CITY OF JEFFERSON, March 29, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR:—In compliance with House resolution of date of March 4th, 1879, requesting the State Auditor to submit to the House of Representatives, a statement showing the present condition of the revenue fund, the amount of bonds falling due this year, and provisions for their payment, the approximate condition of the revenue fund on the

1st September next, and out of what fund the reported deficit, \$286,000, must be met, I have the honor to report the balance in the revenue fund, March 1, 1879, was \$563,976.74, after paying all Auditor's warrants issued to that date.

The amount the Treasurer paid out on certificates of the legislative committees of accounts, is not here considered, for I only treat of the disbursements made on Auditor's warrants, as my books do not show what he may have advanced prior to March 1st, on certificates and accounts for which warrants were not drawn for want of appropriations.

The following table will exhibit the approximate condition of the revenue fund on September 1st, as near as now can be estimated:

REVENUE FUND.

By Balance, March 1, 1879		\$563,976 74
“ Estimate receipts from March 1st to August 31st inclusive, based on what was received last year for same period of time, see page 174, Auditor's report.....		310,000 00
To Transfer to school moneys, $\frac{1}{4}$ of the revenue fund received from March 1st, 1878, to Feb. 28, 1879.....	\$328,255 18	
“ Weston court common pleas.....	147 00	
“ Repairs, etc., Asylum No. 1.....	6,000 00	
“ Debt Lincoln Institute.....	5,000 00	
“ Pay of General Assembly.....	130,000 00	
“ Contingent expenses of same.....	55,000 00	
“ Printing reports and documents, ordered by the General Assembly.....	10,000 00	
“ June interest on revenue bonds.....	6,250 00	
“ Immediate relief of St. Joseph Asylum.....	8,570 00	
“ Printing laws and journals to be appropriated, estimated at.....	9,000 00	
“ Paper and printing Revised Statutes to be appropriated, estimated at.....	22,000 00	
“ Distribution laws and journals to be appropriated, estimated at.....	5,000 00	

To Deficiency and special appropriation, estimated.....	\$70,000 00	
“ ½ appropriation to State University.....	19,500 00	
“ ½ appropriation to School of Mines.....	7,500 00	
“ ¾ appropriation for paper for State printing.....	10,666 00	
“ ⅓ of the ordinary current expenses for the two years, estimated	506,954 45	
Total.....	\$1,199,842 63	\$873,976 74
	873,976 74	
Balance overdrawn, Sept. 1.....	\$325,865 89	

From the foregoing it will be seen the revenue fund will be overdrawn September 1st, \$325,865.89; in other words, the Auditor's warrants will then exceed the receipts to that amount.

No part of the \$100,000 appropriated for the support and repairs of the Penitentiary is embraced in the foregoing estimate, as it is not likely any part thereof will be required by September, unless the management of that institution should be changed by legislation.

If appropriations should be made other than the above mentioned, and the general appropriation approved 21st inst., the approximate amount will be increased.

It must be borne in mind that the current expenses have been running since the first day of January last, but not a dollar of the current revenue has been received for this year.

It will not be due before September, and the larger portion will not be paid before December.

The present receipts are from balances due on tax books of 1878, back and delinquent taxes and licenses.

I would respectfully call attention to what was said in regard to receipts and disbursements on page 5 of the Auditor's report.

There will be \$250,000 of revenue bonds falling due June 1st, which will, in my opinion, have to be met by a temporary loan, as the revenue fund is not now in condition to meet them. If they should be paid out of the revenue fund the approximate excess of Auditor's warrants issued over receipts on September 1st, will be \$575,865.89 instead of \$325,865.89 as stated.

I am not advised "out of what fund the reported deficit of \$286,000 must be met." All the information I have in the premises is obtained from the reports of the Treasurer and others, and his subsequent propositions, to which reference is respectfully made.

It will be observed from the report I had the honor to submit to your honorable body on the 24th inst., there will be a falling off at least \$50,000,000 of taxable property of the State, which will make a reduction from this source of \$200,000 a year in the State revenue.

In addition to the recommendations then submitted, I will respectfully suggest the propriety of legislation authorizing a temporary loan to be made early in 1880, to run for two years, and the levying of a poll tax to meet the loan and other emergencies that may arise.

I have not thought proper to consider the condition of the other funds, as my quarterly report to the Governor, to be made the first proximo, will give the then condition of all funds.

Very respectfully,

THOS. HOLLADAY,

State Auditor.

Which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. McCormick of St. Louis city presented a petition from citizens of St. Louis, praying the Legislature to enact a law making the granting of an illegal dram shop license by any officer in this State, a crime punishable by imprisonment in the Penitentiary; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Foster introduced bill No. 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7 east of the 5th principal meridian.

Accompanying the bill is the following notice of publication as required by the Constitution:

NOTICE OF INTENTION TO APPLY FOR A LOCAL LAW.

Notice is hereby given that numerous citizens of the city of St. Louis, State of Missouri, intend to apply to the General Assembly of said State, at as early a date as practicable, after the 3d day of February, 1879, for the passage of a local or special law, the object of which law is to pass to the board of president and directors of the St. Louis public schools, the title of the State to the lands situated in township 45 north, of range 7 east, held by the State for the use of schools, and which were granted to the State for such use by the act of Congress of June 15, 1864.

THOMAS RICHESON,

President of the Board, etc., St. Louis Public Schools.

MILTON H. WASH, Secretary.

STATE OF MISSOURI, } ss.
CITY OF ST. LOUIS, }

Personally appeared before me, the undersigned, a notary public within and for the city of St. Louis, S. Ray, who being duly sworn, deposeth and saith that the annexed advertisement was published in the St. Louis Globe-Democrat, printed within the said city and State, the newspaper, of which he is one of the publishers, for thirty-seven time, the first insertion being on the 29th day of December, and the last insertion on the 3d day of February, 1879 :

1st time, December 29; 2d time, December 30; 3d time, December 31; 4th time, January 1; 5th time, January 2; 6th time, January 3; 7th time, January 4; 8th time, January 5; 9th time, January 6; 10th time, January 7; 11th time, January 8; 12th time, January 9; 13th time, January 10; 14th time, January 11; 15th time, January 12; 16th time, January 13; 17th time, January 14; 18th time, January 15; 19th time, January 16; 20th time, January 17; 21st time, January 18; 22d time, January 19; 23d time, January 20; 24th time, January 21; 25th time, January 22; 26th time, January 23; 27th time, January 24; 28th time, January 25; 29th time, January 26; 30th time, January 27; 31st time, January 28; 32d time, January 29; 33d time, January 30; 34th time, January 31; 35th time, February 1; 36th time, February 2; 37th time, February 3.

S. RAY.

Sworn to and subscribed before me, this 4th day of February 1879.

{ SEAL. }

LOUIS C. BOHLE,

Notary Public St. Louis city.

Which was read the first time and laid over.

Mr. Riley introduced bill No. 609, entitled An act supplementary to and amendatory of an act entitled an act for the incorporation of insurance companies other than life insurance companies, and for the regulation of insurance business, approved March 10, 1869, being article 3 of chapter 76 of Wagner's Missouri Statutes, by adding thereto new sections; which was read the first time and laid over.

Leave of absence was granted Mr. Carroll for ten days.

Leave of absence was granted Mr. Mott for two days.

Mr. Booth was reported sick.

Mr. Campbell of Atchison was reported sick.

Senate substitute No. 12 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning witnesses; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Davis, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Warren, Wells, Weygandt, Windes and Withers—88.

NOES—Mr. Dade—1.

ABSENT—Messrs. Berryman, Brady, Burford, Chilton, Dale, Dawson, Diercks, Dilley, Gwynne, Harrigan, Harrington, Hubbard, Kendall, Knight, Miles, McGarry, McKinney, O'Malley, Pollock, Rawlings, Souder, Spring, Taylor, Tevis, Vancleve, Waggener, Wiley, Wisby and Mr. Speaker—29.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Boulware, Carroll, Cox, Crowther, Dryden, Hall, Harrison, Larimore, Maynard, Moler, Mott, McDaniel, McIntyre, Whitaker and Younger—17.

SICK—Messrs. Booth, Campbell of Atchison, Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 13 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, relating to the perpetuation of testimony, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 13 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri, relating to the perpetuation of testimony; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Davis, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackéy, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Warren, Wells, Weygandt, Windes, Wisby and Withers—93.

NOES—Mr. Dade—1.

ABSENT—Messrs. Berryman, Brady, Burford, Chilton, Dale, Dawson, Diercks, Dilley, Gwynne, Harrigan, Harrington, Kendall, Knight, O'Malley, Pollock, Rawlings, Souder, Spring, Taylor, Tevis, Vancleve, Waggener, Wiley and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Boulware, Carroll, Cox, Crowther, Dryden, Hall, Harrison, Larimore, Maynard, Moler, Mott, McDaniel, McIntyre, Whitaker and Younger—17.

SICK—Messrs. Booth, Campbell of Atchison, Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 30 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 145 of the General Statutes of the State of Missouri concerning the establishment of land boundaries, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute No. 30 for Senate bill No. 52; was taken up with the following amendment recommended by the Committee on Judiciary:

Amend section 8 of written bill by striking out the words "sworn to" in the fourth line of said section; which was read and agreed to.

Mr. Davis offered the following amendment :

Strike out the repealing clause ; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Davis, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Warren, Wells, Weygandt, Windes, Wisby and Withers—94.

NOES—Mr. Dade—1.

ABSENT—Messrs. Brady, Burford, Chilton, Dale, Dawson, Diercks, Dilley, Gwynne, Harrigan, Harrington, Knight, O'Malley, Pollock, Rawlings, Saunders, Souder, Spring, Taylor, Tevis, Vancleve, Waggener, Wiley and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Boulware, Carroll, Cox, Crowther, Dryden, Hall, Harrison, Larimore, Maynard, Moler, Mott, McDaniel, McIntyre, Whitaker and Younger—17.

SICK—Messrs. Booth, Campbell of Atchison, Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn, and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10, 1860, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

House bill No. 541, was taken up, and, on motion, laid over until Thursday.

Mr. Davis moved to reconsider the vote by which the House tabled the motion to reconsider on the passage of Senate substitute No. 12 for Senate bill No. 52; which was agreed to.

Mr. Davis moved to reconsider the vote by which Senate substitute No. 12 for Senate bill No. 52 passed; which was agreed to.

Mr. Davis moved to reconsider the vote by which Senate substitute No. 12 for Senate bill No. 52 was ordered to a third reading; which was agreed to.

Mr. Davis offered the following amendment:

Strike out section 30; which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dale, Davis, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Warren, Wells, Weygandt, Windes, Wisby and Withers—97.

ABSENT—Messrs. Brady, Burford, Chilton, Dade, Diercks, Dilley, Gwynne, Harrigan, Knight, O'Malley, Pollock, Rawlings, Settles, Souder, Spring, Taylor, Tevis, Vancleve, Waggener, Wiley and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Boulware, Carroll, Cox, Crowther, Dryden, Hall, Harrison, Larimore, Maynard, Moler, Mott, McDaniel, McIntyre, Whitaker and Younger—17.

SICK—Messrs. Booth, Campbell of Atchison, Campbell of St. Louis city, Dodson, Morrison, Mudd of St. Louis, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Burrows, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 380, entitled An act to protect owners of live stock, beg leave to report that they have considered the same, and recommend that it do pass as amended; which was read.

House bill No. 380 was taken up, with the following amendments recommended by the Committee on Agriculture:

Amendment No. 1—Amend section 1 by adding after the word “person” in the first line, the words “or persons;” which was read and agreed to.

Amendment No. 2—Amend section 2, in line seven after the word “person,” the words “or persons;” which was read agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Wisby introduced bill No. 610, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial; which was read the first time and laid over.

House bill No. 255, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wagner's Statutes, approved March 18, 1875; was called up, with the substitute recommended by the Committee on Elections.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 604, entitled An act to appropriate money out of the executors' and administrators' fund, the swamp land indemnity fund and the road and canal fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 605, entitled An act permitting publishers of newspapers and other periodicals, in libel suits, to introduce certain evidence in mitigation of damages; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 273, entitled An act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the

city of St. Louis, approved February 2, 1874; was called up and read the first time.

Senate substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of Missouri, concerning garnishment; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers, for boarding prisoners, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 210, entitled An act to pay A. J. Adkins for assessing Texas county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenues, approved May 2, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 510, entitled An act to amend an act entitled an act to amend section 1 of chapter 96 of the General Statutes of Missouri, entitled peddler's licenses, the same being section 1 of chap-

ter 106 of Wagner's Statutes, approved April 12, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 408, entitled An act to pay outstanding Union Military Bonds, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 202, entitled An act to appropriate money to pay J. J. C. Breazeale, the mileage and per diem due him as a member of the 26th General Assembly, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 396, entitled An act to provide a uniform system of canceling county warrants, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 126, entitled An act to appropriate money to pay Joseph W. Branch, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

On motion of Mr. Davis, the House adjourned until to-morrow morning at 9 o'clock.

SIXTY-EIGHTH DAY—TUESDAY, April 1, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the Rev. Mr. Godbey.

The journal of yesterday was being read, when

On motion of Mr. Wells, the further reading was dispensed with.

House bill No. 202, entitled An act to appropriate money to pay J. J. C. Breazeale, the mileage and per diem due him as a member of the 26th General Assembly; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Brewer, Bryan, Burrows, Carleton, Collins, Cowan of Christian, Cox, Creager, Crow, Dawson, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Ham, Hammons, Harrington, Helm, Johnson, Kendall, Lackland, Mabrey, Manistre, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, Organ, Palmer, Pollock, Powers, Price, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Wiley, Windes and Mr. Speaker—65.

NOES—Messrs. Brown, Chenoweth, Cloud, Cock, Cook, Cooper, Cowan of Holt, Dade, Dale, Davis, Hale, Haynes, Hubbard, Hynes, Ingram, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, McCormick of Washington, McDaniel, McKill, McKinney, Phelan, Powell, Riley, Reynolds, Weygandt and Withers—32.

ABSENT—Messrs. Bashaw, Boulware, Bowman, Brady, Burford, Chilton, Chitwood, Craig, Diercks, Dilley, Ellis, Gray, Harrigan, Knight, Louthan, Miles, O'Malley, Patterson of Schuyler, Pehle, Pepper, Pollard, Rawlings, Settles, Souder, Waggener and Wisby—26.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Carroll, Crowther, Dryden, Hall, Harrison, Maynard, McIntyre, Patterson of Linn, Whitaker and Younger—12.

SICK—Messrs. Berryman, Booth, Campbell of Atchison, Campbell of St. Louis city, Coleman, Morrison, Mudd of St. Louis and Tiernan—8.

Mr. Berryman was reported sick.

Mr. Coleman was reported sick.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments

to Senate bill No. 69, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning liens, and have concurred in House amendments Nos. 1, 2, 3, 4, 5, 6, 1 and 2, and has refused to concur in House amendments Nos. 3 and 4, as follows:

Amendment No. 3—That section 51 be amended by striking out the words “stud horse liens,” wherever they occur therein.

Amendment No. 4—That the title to said bill be amended by striking out the words “stud horse liens,” wherever they occur therein; and request the House to recede therefrom; which was read.

House bill No. 210, entitled An act to pay A. J. Adkins for assessing Texas county; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Bowman, Carleton, Cowan of Christian, Cowan of Holt, Cox, Craig, Dodson, Ewing, Freed, Hayes, Harington, Hubbard, Hynes, Johnson, Kneisley, Lesueur, Manistre, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, Organ, Palmer, Pehle, Phelan, Pollock, Powers, Price, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Vancleve, Warren, Wells, Windes, Younger and Mr. Speaker—43.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brewer, Brown, Burrows, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Creager, Crow, Dade, Dale, Davis, Drum, Ellis, Farr, Foster, Greer, Gwynne, Hale, Ham, Hammons, Helm, Ingram, Kendall, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, McCormick of Washington, McDaniel, McKill, McKinney, Powell, Riley, Reynolds, Spring, Tevis, Weygandt and Withers—56.

ABSENT—Messrs. Bashaw, Brady, Bryan, Burford, Chilton, Dawson, Diercks, Dilley, Dougherty, Finks, Gray, Haynes, Harrigan, Knight, Lackland, O'Malley, Patterson of Schuyler, Pepper, Pollard, Rawlings, Settles, Souder, Taylor, Waggener, Wiley and Wisby—26.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Crowther, Dryden, Hall, Harrison, Maynard, McIntyre, Patterson of Linn and Whitaker—10.

SICK—Messrs. Berryman, Booth, Campbell of Atchison, Campbell of St. Louis city, Coleman, Morrison, Mudd of St. Louis and Tiernan—8.

Leave of absence was granted Mr. Patterson of Linn for fifteen days.

House bill No. 261, entitled An act to amend section 3 of chapter 200 of the General Statutes of Missouri, entitled of offenses against the lives and persons of individuals; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Berry, Bonham, Bohannon, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cock, Cook, Cowan of Christian, Cox, Creager, Crow, Dade, Dale, Davis, Diercks, Dodson, Dougherty, Ellis, Ewing, Foster, Greer, Gwynne, Hayes, Hammons, Haynes, Harrington, Hubbard, Hynes, Ingram, Kendall, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Mott, Mudd of Lincoln, McDaniel, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Reynolds, Saunders, Smith of St. Louis city, Swank, Warren, Wells, Weygandt, Wisby, Withers and Younger—79.

NOES—Messrs. Bashaw, Beckner, Brown, Cloud, Collins, Cooper, Cowan of Holt, Craig, Dawson, Drum, Dryden, Farr, Finks, Hale, Ham, Johnson, Kneisley, Lesueur, Mahn, Moler, McCormick of Washington, McCormick of St. Louis city, McIntyre, Ragan, Riley, Settles, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Windes and Mr. Speaker—34.

ABSENT—Messrs. Carleton, Chilton, Dilley, Freed, Gray, Harrigan, Helm, Knight, O'Malley, Pollock, Rawlings, Souder, Vancleve, Waggener and Wiley—15.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Crowther, Hall, Harrison, Maynard, Patterson of Linn and Whitaker—8.

SICK—Messrs. Berryman, Booth, Campbell of St. Louis city, Coleman, Morrison, Mudd of St. Louis and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Dale moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 511, entitled An act to preserve the purity of elections, and to prevent official corruption, beg leave to report that they have considered the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172, of the General Statutes of Missouri, con-

cerning practice in civil cases, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Sdnate substitute for Senate bills Nos. 60 and 204; was taken up, with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—Amend section 45, by adding thereto the following: "The service may be made by delivering to the party, or his attorney, a copy of such notice, or by leaving a copy at the usual place of abode of the party, or his attorney, with some person over the age of fifteen years, or with the clerk of the party or his attorney;" which was read and agreed to.

Amendment No. 2—Amend section 54, by inserting in line 21 after the word, "defendant," the words, "has been served with process he;" which was read and agreed to.

Amendment No. 3—Amend section 58, by striking out the whole of said section, and by inserting in lieu thereof, the following: "Section 58. After a demurrer the plaintiff may amend, of course, and with or without costs, as the court may order. Upon the decision of the demurrer, the plaintiff may amend, or the defendant withdraw his demurrer and answer. The amended petition, answer or reply, shall be filed within such time as the court may prescribe;" which was read and agreed to.

Amendment No. 4—Amend section 111 by inserting in line 2, after the word, "of," the words, "the provisions of," also by inserting in same line after the word, "act," the words, "relating to the claim and delivery of personal property;" which was read and agreed to.

Amendment No. 5—Amend section 216 by striking out the words, "by his own oath," in line 2, after the word, "prove;" also by striking out all of the words between the word, "may," in line 4, and the word, "disprove," in line 5; which was read and agreed to.

Amendment No. 6—Amend section 220, by inserting in line 3 after the word, "evidence," the words, "without proof of its execution;" also, by inserting at the end of said section the words, "nor any county, city or town, sued upon any instrument alleged to have been executed by such county, city or town, or any corporate authorities;" which was read and agreed to.

Amendment No. 7—Amend section 263 by striking out the word, "like," between the word, "by," and the word, "affidavit," in line 3, and by striking all of the words in line three after the word, "affidavit;" which was read and agreed to.

Amendment No. 8—Amend the bill by striking out all of section 283, and inserting in lieu thereof the following: "Section 283. All

appeals taken thirty days before the first day of the next term of the supreme court or St. Louis court of appeals, shall be returnable in such next term, and all appeals taken in less than thirty days before the first day of such next term, shall be returnable in the second term thereafter. The appellant shall cause to be filed in the office of the clerk of the supreme court, or St. Louis court of appeals, at least fifteen days before the term of such court to which the appeal is returnable, a perfect transcript of the record and proceedings in the cause. If he fail so to do, and the appellee produce in court such transcript, and it appear thereby that an appeal has been allowed in the cause, the court shall affirm the judgment, unless good cause to the contrary be shown. An appeal granted by the supreme court or the St. Louis court of appeals, or any judge thereof, when the appellant is not an executor, or administrator, guardian or curator, suing, or sued as such, shall not operate as a stay of proceedings unless a like recognizance, as in case of other appeals in civil cases, be entered into before the supreme court, St. Louis court of appeals, or circuit court, or a judge or a clerk thereof, and filed in the office of the clerk of the circuit court in which the judgment appealed from, was rendered;" which was read and agreed to.

Amendment No. 9—Amend section 296 by striking out all of the words between the word, "vacation," and the word, "within," in the fourth line; which was read and agreed to.

Amendment No. 10—Amend section 329 by inserting the words, "or upon the dismissal of any case," in the second line between the word, "decision," and the word, "the;" which was read agreed to.

Amendment No. 11—Amend the bill by striking out all of sections 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346 and 347; which was read and agreed to.

Amendment No. 12—Amend sections 348, 349 and 350, by striking out the "numbers of said section," and inserting in lieu thereof the numbers, "336, 337 and 338, respectively;" which was read and agreed to.

The bill as amended, was then read third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson,

Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wisby and Withers—107.

NOES—Messrs. Dade and Mr. Speaker—2.

ABSENT—Messrs. Bashaw, Chilton, Dilley, Foster, Gray, Gwynne, Harrigan, Knight, Manistre, O'Malley, Pepper, Powell, Rawlings, Souder, Vancleve, Waggener, Wiley, Windes and Younger—19.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Crowther, Hall, Harrison, Maynard, Patterson of Linn and Whitaker—8.

SICK—Messrs. Berryman, Booth, Campbell of St. Louis city, Coleman, Morrison, Mudd of St. Louis and Tiernan—7.

The title of the bill was read and agreed to.

House bill No. 339, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Diercks, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hale, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Miles, Mott, McCormick of Washington, McElvain, McGarry, McIntyre, McKinney, Organ, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wisby, Withers and Younger—86.

NOES—Messrs. Brown, Burford, Chitwood, Cooper, Cox, Davis, Dawson, Drum, Freed, Hayes, Ham, Hammons, Haynes, Kendall, Lackland, Louthan, Mahn, Moler, McCormick of St. Louis city, McDaniel, McKill, Pepper, Saunders, Settles, Swank, Vancleve, Wiley, Windes and Mr. Speaker—29.

ABSENT—Messrs. Arnold, Brady, Chilton, Dilley, Harrigan, Knight,

Mudd of Lincoln, O'Malley, Palmer, Rawlings, Reynolds, Souder and Waggener—13.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Crowther, Hall, Harrison, Maynard, Patterson of Linn and Whitaker—8.

SICK—Messrs. Berryman, Booth, Campbell of St. Louis city, Morrison, Mudd of St. Louis and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute 17 for Senate bill No. 52, entitled An act to revise and amend chapter 149 of the General Statutes of Missouri, concerning actions by United States collectors of revenue; also,

Substitutes 2 and 3 for Senate bill No. 82, entitled An act to revise and amend chapters 91 and 99 of the General Statutes of Missouri, concerning letters of attorney and inn keepers, and their responsibility to their guests; also,

Senate bill No. 253, entitled An act to amend section 2 of an act entitled an act to provide for a branch recorders office in Jackson county, Missouri, approved March 22, 1873; in which the concurrence of the House is respectfully requested; also,

That the Senate has taken up and concurred in House amendments to Senate bill No. 27; which was read.

Senate bill No. 72, entitled An act to revise and amend title 40 of the General Statutes of Missouri, concerning landlords and tenants; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Senate bill No. 98, entitled An act to revise and amend chapter 107 of the General Statutes of the State of Missouri, concerning fraudulent conveyances; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Senate Substitute No. 27 for Senate bill No. 52, entitled An act to revise and amend chapter 159 of the General Statutes of the State of Missouri, concerning judgments; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Senate bill No. 202, entitled An act to revise and amend title 28, chapter 106 of the General Statutes of the State of Missouri, concerning frauds and perjuries; was taken up, read at length by the clerk, and signed by the Speaker, without objections.

Substitute for House bill No. 301, entitled An act to amend section 3 of an act approved March 28, 1877, concerning the assessment and collection of taxes, and section 56 of an act entitled an act concerning the assessment of the revenue, approved March 30, 1872; was taken up.

Mr. Pepper moved to reconsider the vote by which the bill was ordered engrossed and printed.

The ayes and noes being demanded, the motion to reconsider prevailed by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Beckner, Berry, Bonham, Brewer, Brown, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Collins, Cook, Cowan of Christian, Cowan of Holt; Dade, Dawson, Diercks, Drum, Dryden, Farr, Finks, Freed, Gray, Greer, Hale, Hammons, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Mott, McCormick of Washington, McElvain, McGarry, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner and Younger—66.

NOES—Messrs. Anderson, Ballew, Bohannon, Boulware, Bowman, Brady, Bryan, Burford, Burrows, Cloud, Cock, Cooper, Cox, Craig, Creager, Crow, Dale, Davis, Dodson, Dougherty, Ellis, Ewing, Foster, Gwynne, Hayes, Ham, Harrington, Hubbard, Hynes, Lackland, Mahn, McCormick of St. Louis city, McIntyre, McKill, Organ, Pollard, Saunders, Taylor, Tevis, Wells, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—45.

ABSENT—Messrs. Chilton, Dilley, Haynes, Harrigan, Knight, Louthan, Mudd of Lincoln, O'Malley, Powell, Rawlings, Souder, Swank, Vancleve, Waggener, Warren and Windes—16.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Crowther, Hall, Harrison, Maynard, McDaniel, Patterson of Linn, and Whitaker—9.

SICK—Messrs. Berryman, Booth, Campbell of St. Louis city, Coleman, Morrison, Mudd of St. Louis and Tiernan—7.

Mr. Pepper offered the following amendment :

Amend section 1 by striking out the word "August," and inserting the word "June;" which was read and agreed to.

Mr. Davis offered the following amendment :

Amend section 1, line 29 of printed bill by inserting after the word "all," the word "solvent;" which was read and not agreed to.

Mr. Gray offered the following amendment :

Amend section 1, line 35, by inserting the word "natural," after the word "whether;" which was read and not agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Burford introduced bill House bill No. 611, entitled An act for the protection of orphans and children of poor parents; which was read the first time and laid over.

Mr. Settles introduced House bill No. 612, entitled An act to repeal the fourth section of an act entitled an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit, approved March 17, 1871; which was read the first time and laid over.

Mr. Organ introduced bill No. 613, entitled An act declaring certain State bonds due and payable; which was read the first time and laid over.

Mr. Foster introduced bill No. 614, entitled An act to amend section 36 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House joint and concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 496, entitled An act for the payment of lost defense warrants, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 470, entitled An act to amend an act entitled

an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 517, entitled An act in relation to nursery stock, the growth of this State, and the non-exemption of certain property, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. McDaniel, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 112, entitled An act for the government of cities of the fourth class, beg leave to report that they have considered the same and recommend that, with an amendment to sections 2 and 3 respectively, it do pass; which was read.

House bill No. 112 was taken up, with the following amendments recommended by the Committee on Banks and Corporations:

Amendment No. 1—Amend section 2 by adding thereto the following: "but the limits of no such city shall be extended or reduced, without the consent of two-thirds of the tax-paying citizens residing or owning property within the territory sought to be added to or taken from such city;" which was read and agreed to.

Amendment No. 2—Amend section 3 by adding thereto the following: "Provided further, that in all cities, now existing under general or special laws, organizing under the provisions of this act, the officers thereof shall continue to discharge the duties of their respective offices until an election shall be held as herein provided;" which was read and agreed to.

On motion, the bill as amended was referred to the Joint Committee on Revision.

On motion of Mr. Dawson, the House adjourned until to-morrow morning at 9 o'clock.

SIXTY-NINTH DAY—WEDNESDAY, April 2, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Settles, the further reading was dispensed with.

Mr. Bryan introduced bill No. 615, entitled An act to admit Henry K. Legg, of Barry county, to the practice of medicine and surgery in this State; which was read the first time and laid over.

Mr. Bryan introduced bill No. 616, entitled An act to authorize elections for the purpose of changing and defining boundary lines between counties; which was read the first time and laid over.

Mr. McGarry presented a petition from citizens of St. Louis, praying the Legislature to repeal the St. Louis street railroad law of 1860; which was read, and on motion, referred to the St. Louis Delegation.

Mr. Mudd of St. Louis introduced bill No. 617, entitled An act to employ convict labor for the purpose of clearing up and making productive the Agricultural and Mechanical College farm belonging to the State; which was read the first time and laid over.

Mr. Mott presented a petition from citizens of St. Louis, praying the Legislature to repeal the St. Louis street railroad law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Riley introduced bill No. 618, entitled An act to amend an act entitled an act in relation to roads and highways, providing for establishing, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Riley introduced bill No. 619, entitled An act to amend sections 3, 19 and 25 of chapter 10 of Wagner's Statutes, in relation to Asylums; which was read the first time and laid over.

Mr. Riley introduced bill No. 620, entitled An act to repeal an act entitled an act to encourage the destruction of grasshoppers, approved February 23, 1877; which was read the first time and laid over.

Mr. Dryden presented a petition from citizens of St. Louis, praying the Legislature to repeal the St. Louis street railroad law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Manistre presented a petition from citizens of St. Louis, praying the Legislature to repeal the St. Louis street railroad law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Kendall presented a petition from the St. Louis annual conference of the M. E. Church, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating liquors within the State; which was read; and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Louthan presented a remonstrance from merchants and citizens of St. Louis against the repeal of the street railroad law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Turner presented a petition from citizens of Madison county, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the importation, manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

House concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Burford, Burrows, Carleton, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dale, Davis, Piercks, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hall, Hale, Ham, Hammons, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lynn, Mabrey, Mahn, Miles, Moler, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehlé, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Windes, Withers, Younger and Mr. Speaker—96.

ABSENT—Messrs. Bashaw, Booth, Brady, Brown, Bryan, Campbell of Atchison, Chitwood, Cock, Cox, Dade, Dawson, Ellis, Foster, Hayes, Harrigan, Lackland, Lockhart, Louthan, Mackey, Manistre, Mott, Mudd of Lincoln, McCormick of St. Louis city, McKinney, O'Malley, Pepper, Pollock, Rawlings, Souder, Spring, Taylor, Tevis, Wiley and Wisby—34.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Harrison, Maynard, McIntyre, Patterson of Linn and Whitaker—9.

SICK—Messrs. Campbell of St. Louis city, Coleman, Morrison and Tiernan—4.

The title of the resolution was read and agreed to.

Mr. Cook moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22; was taken up.

Mr. Davis moved to reconsider the vote by which the bill was ordered engrossed and printed; which was agreed to.

On motion, the bill was recommitted to the Committee on Ways and Means.

Senate bill No. 71, entitled An act to revise and amend title 39 of the General Statutes of Missouri, concerning forcible entry and detainer, and unlawful detainer; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 13 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 45 of the General Statutes of the State of Missouri, relating to the perpetuation of testimony; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate bill No. 27, entitled An act authorizing railroad companies paying taxes on sleeping, palace, passenger or other cars, hired, leased or run on their roads, to sue for and recover such taxes, so paid, with interest; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Mr. Bonham called up the resolution introduced by him on Monday, March 31, authorizing the Committee on Penitentiary to investigate thoroughly the affairs of the State Penitentiary.

The question being on the adoption of the resolution,

The ayes and noes were demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Hayes, Hale, Hammons, Haynes, Harrington, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mahn, Miles, Moler, Mudd of Lincoln,

Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Riley, Reynolds, Smith of Cedar, Spring, Talbot, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—92.

NOES—Messrs. Arnold, Berryman, Brady, Carleton, Cox, Davis, Dawson, Dilley, Drum, Greer, Gwynne, Ham, Helm, Mabrey, Pollock, Ragan, Saunders, Smith of St. Louis city, Swank, Taylor, Tevis, Tiernan, Turner and Wells—24.

ABSENT—Messrs. Chitwood, Cock, Diercks, Farr, Harrigan, Lackland, Mackey, Manistre, Mott, O'Malley, Phelan, Rawlings, Settles, Souder and Wisby—15.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Hall, Harrison, Maynard, Patterson of Linn and Whitaker—8.

SICK—Messrs. Campbell of St. Louis city, Coleman, Foster and Morrison—4.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitutes 1 and 5 for Senate bill No. 82, entitled An act to revise and amend chapters 100 and 102 of the General Statutes of Missouri, concerning weights and measures, and mills and millers ;

Also substitutes 7 and 15 for Senate bill No. 52, entitled An act to revise and amend chapters 139 and 147, General Statutes of Missouri, concerning attorneys at law, and damages and contributions in actions of tort ;

Also, House bill No. 544, entitled An act fixing compensation of Secretary of the Senate and the Chief Clerk of the House of Representatives, in which the concurrence of the House is respectfully requested ; which was read.

Mr. Foster was reported sick.

House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of the State of Missouri, concerning marriage and marriage contracts ; was called up.

Mr. Cowan of Holt moved to reconsider the vote by which the bill was ordered engrossed and printed ; which was agreed to.

Mr. Cowan of Holt offered the following amendment :

Amend line 4, section 2 of printed bill, by striking out the words "first cousins," and the words mulattoes and Indians ;" which was read.

Mr. Cowan of Holt offered the following substitute for his amendment:

Amend line 4 of section 2 by striking out "first cousins and Indians," and by inserting the word "or" after the word "negroes," and before the word "mulattoes;" which was read and agreed to.

Mr. Ragan offered the following amendment:

Amend by adding after the word "gospel," in section 4, "who shall produce a certificate from the clerk of the county, in which the marriage is celebrated, of good moral character from the church to which he may belong; which was read and agreed to.

Mr. Haynes offered the following amendment:

Amend by adding a new section as follows: "Section —. Every person having authority to join others in marriage shall keep a record of all marriages solemnized by him, and within thirty days return to the recorder of the county the license authorizing such marriage, with his return thereon, as herein required; and if any person shall neglect or refuse to make a return of said license, together with his return thereon, within the time above required, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one hundred dollars and not less than ten dollars, or by imprisonment in the county jail not exceeding three months nor less than one month;" which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Leave of absence was granted Mr. Farr for six days.

Substitute for House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877; was called up.

Mr. McCormick of St. Louis city moved to reconsider the vote by which the bill was ordered engrossed and printed; which was agreed to, and the bill recommitted to the Committee on Ways and Means.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 16 for Senate bill No. 52, entitled An act to revise and amend chapter 148 General Statutes of Missouri, concerning set offs.

Also, substitute No. 6 for Senate bill No. 82, entitled An act to revise and amend chapter 87 of the General Statutes of Missouri, concerning contracts and promises, in which the concurrence of the House is respectfully requested.

Also that the Senate has taken up and passed House bill No. 264, entitled An act for the protection of California quails; which was read.

On motion of Mr. Wells, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

Mr. Palmer moved to reconsider the vote by which Senate substitute for Senate bills Nos. 60 and 204 passed; which was agreed to.

Mr. Palmer moved to reconsider the vote by which Senate substitute for Senate bills Nos. 60 and 204 was ordered to a third reading; which was agreed to.

Mr. Palmer offered the following amendment:

Amend by striking out section 288, and inserting the following:

SECTION 288. One of such dockets shall be known as the "court docket," and the other as the "bar docket," and shall be arranged appropriately, with spaces for names of attorneys, and brief statements of the orders and judgments of the court in the respective cases. Such cases shall be docketed as follows: First, all criminal cases; second, all civil cases for trial; third, the return cases, showing whether process has been served or not; which was read.

Mr. Davis moved that the further consideration of the bill and amendment be postponed until to-morrow morning at 10 o'clock; which was agreed to.

Mr. Lackland, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 19, proposing to submit to the vote of the qualified voters of this State, an amendment to the Constitution, forbidding the manufacture and sale of intoxicating liquors in this State, beg leave to report that they have considered the same, and that a majority of your committee recommend that it be not adopted; which was read.

House concurrent resolution No. 19 was taken up.

Mr. Riley offered a substitute for the resolution; which was read.

The question being on the adoption of the substitute, the ayes and noes were demanded, and the substitute was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison,

Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hammons, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Windes and Younger—89.

NOES—Messrs. Booth, Diercks, Drum, Foster, Gwynne, Hale, Ham, Kendall, Kneisley, Lackland, Louthan, Manistre, McCormick of St. Louis city, McGarry, Organ, Phelan and Weygandt—17.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Brady, Burford, Cox, Harrigan, Mackey, Moler, Mott, O'Malley, Patterson of Schuyler, Pollock, Rawlings, Saunders, Settles, Souder, Smith of St. Louis city, Tiernan, Waggener, Wisby and Withers—19.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Farr, Hall, Harrison, Maynard, McDaniel, McIntyre, Patterson of Linn, Whitaker and Wiley—13.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

The question being upon the engrossment and printing of the substitute, it was ordered engrossed and printed.

Mr. Chitwood was reported sick.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 431, entitled An act to repeal sections 9, 11, 12 and 13 of chapter 160 of the General Statutes, entitled of executions, and to insert new sections in said chapter, and to renumber other sections therein, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 431, was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 219, entitled An act providing for the enlargement of burial grounds and providing the manner for the appropriation and valuation of lands taken therefor, beg leave to report that they

have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

Senate bill No. 219, was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend by striking out the words “of right of way of,” in the ninth line of section 1 of written bill; which was read and agreed to.

Amendment No. 2—Amend by striking out the words “macadamized and plank,” in tenth line of section 1, and insert after the word “road,” in tenth line of said section, the words “and railroads;” which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Craig, Creager, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, Organ, Palmer, Pehle, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of Cedar, Spring, Talbot, Turner, Vancleve, Warren, Weygandt, Windes and Mr. Speaker—78.

NOES—Messrs. Bowman, Chenoweth, Cowan of Christian, Crow, Dade, Dale, Dawson, Diercks, Greer, Hynes, Ingram, Knight, Pepper, Powell, Riley, Swank, Taylor, Wells and Younger—19.

ABSENT—Messrs. Berryman, Brady, Brown, Burford, Cox, Gwynne, Harrigan, Johnson, Kendall, Mackey, Manistre, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, O'Malley, Patterson of Schuyler, Phelan, Pollock, Rawlings, Saunders, Souder, Smith of St. Louis city, Tevis, Tiernan, Waggener, Wisby and Withers—28.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Farr, Foster, Hall, Harrison, Maynard, McDaniel, McIntyre, Patterson of Linn, Whitaker and Wiley—14.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 193, entitled An act to supply certain courts of record, not provided for by law, with the reports of the supreme court decisions, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

Senate bill No. 193 was taken up with the following amendment, recommended by the Committee on Judiciary:

Amend section 1 by inserting the words "and probate" after the words "common pleas," in the second line of said section; which was read and agreed to.

The bill, as amended, was then read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Craig, Crow, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Freed, Gray, Greer, Hale, Ham, Hammons, Harrington, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McKinney, Organ, Palmer, Pepper, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Taylor, Turner and Mr. Speaker—71.

NOES—Messrs. Beckner, Cowan of Christian, Dade, Dale, Davis, Diercks, Ewing, Hayes, Hynes, Ingram, Knight, Miles, McElvain, McKill, Pollard, Spring, Talbot, Warren, Wells, Whitaker and Windes—21.

ABSENT—Messrs. Berryman, Boulware, Brady, Brown, Burford, Chenoweth, Cox, Creager, Foster, Gwynne, Haynes, Harrigan, Mackey, Manistre, Mott, McCormick of St. Louis city, McGarry, O'Malley, Patterson of Schuyler, Pehle, Phelan, Pollock, Rawlings, Saunders, Souder, Smith of St. Louis city, Swank, Tevis, Tiernan, Vancleve, Waggener, Weygandt, Wisby, Withers and Younger—35.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Growther, Dryden, Farr, Hall, Harrison, Maynard, McDaniel, McIntyre, Patterson of Linn and Wiley—12.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

Mr. Dade moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table.

The question being upon the motion to lay the motion to reconsider on the table; it was not agreed to.

The question being upon the motion to reconsider the vote by which the bill failed to pass; it was agreed to.

The question being upon the passage of the bill; the roll was called and the bill passed by the following vote:

AYES—Messrs. Alldridge, Arnold, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Cook, Cooper, Cowan of Holt, Craig, Creager, Crow, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Ham, Hammons, Harrington, Hubbard, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan Mabrey, Mahn, Moler, Mudd of Lincoln, Mudd of St. Louis, McElvain, Organ, Palmer, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Swank, Talbot, Taylor, Tevis and Mr. Speaker—73.

NOES—Messrs. Andrews, Ballew, Collins, Dade, Dale, Davis, Diercks, Drum, Hale, Haynes, Hynes, Ingram, Kendall, Lynn, Miles, McKinney, Spring, Turner, Wells, Weygandt, Windes and Younger—22.

ABSENT—Messrs. Adams, Berryman, Burford, Cowan of Christian, Cox, Gwynne, Mackey, McCormick of Washington, McKill, Patterson of Schuyler, Rawlings, Saunders, Souder, Smith of Cedar, Tiernan, Vancleve, Waggener, Warren, Wisby and Withers—20.

ABSENT WITH LEAVE—Messrs. Anderson, Brady, Carroll, Crowther, Dryden, Farr, Foster, Hall, Harrigan, Harrison, Manistre, Maynard, Mott, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Patterson of Linn, Phelan, Pollock, Smith of St. Louis city, Whitaker and Wiley—24.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

The title of the bill was read and agreed to.

Mr. Bashaw moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 28 for Senate bill No. 52, being an act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted; which was read.

Senate substitute No. 28 for Senate bill No. 52, was taken up, with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 11 by striking out the words “the next preceding section” in line 3, and inserting in lieu thereof the words “section 9 of this act;” which was read and agreed to.

Amendment No. 2—Amend by striking out section 83; which was read and agreed to.

Amendment No. 3—Amend section 7 by striking out the words “before the delivery of such execution to be executed” in the 4th line of the engrossed bill; which was read and agreed to.

On motion, the bill as amended was laid over for third reading.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bills Nos. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Riley, from the Committee on Lunatic Asylums, submitted the following report:

MR. SPEAKER: Your Committee on Lunatic Asylums, to whom was referred House bill No. 479, entitled An act to repeal section 2 of an act in relation to the public institutions of the State, approved April 28, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 479; was taken up, and, on motion, ordered engrossed and printed.

On motion of Mr. Brown, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTIETH DAY—THURSDAY, April 3, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Riley, the further reading was dispensed with.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 566, entitled An act to amend chapter 204 of the General Statutes of the State of Missouri, entitled of offenses by persons in office, or affecting public trusts and rights, by adding a new section thereto, to be designated as section No. 32, beg leave to report that they have considered the same and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 566; was taken up, with the following amendment recommended by the Committee on Criminal Jurisprudence:

Amend by striking out after the words, "forfeiture of his office," the words, "and fine not exceeding five hundred dollars or forfeiture of his office, and imprisonment in the county jail not exceeding one year, or by forfeiture of his office and both such fine and imprisonment;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bills No. 157 and 457, entitled respectively, An act to amend section 8, chapter 98, General Statutes of 1865, entitled dramshop keepers and their licenses; also, An act to amend section 8, chapter 48 of Wagner's Missouri Statutes, entitled dramshops, dramshop keepers, and their licenses, beg leave to report that they have considered the same, and herewith submit a substitute and recommend that it do not pass; which was read.

House bills No. 157 and 457; were taken up, with substitute recommended by the Committee on Criminal Jurisprudence, and, on motion, laid over informally.

Mr. Pollock, from the Committee on Justices of the Peace, submitted the following report:

MR. SPEAKER: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 144, entitled an act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform the same to the changes wrought by section 23, article 9 of the constitution, and to add an additional section thereto, to be known as section 14, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 144; was taken up, and, on motion, ordered printed.

Mr. Cowan, of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 471, entitled An act to amend sections 1 and two of an act entitled an act to regulate the practice of medicine and surgery in this State, approved April 28, 1877; beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 471 was taken up.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the bill was ordered engrossed and printed by the following vote:

AYES—Messrs. Adams, Andrews, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cock, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Diercks, Dodson, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Ham, Haynes, Harrigan, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Mabrey, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Waggener, Warren, Weygandt, Windes and Withers—81.

NOES—Messrs. Alldridge, Ballew, Beckner, Burrows, Cloud, Collins, Cook, Cox, Davis, Dawson, Drum, Foster, Gwynne, Hale, Hammons, Hubbard, Hynes, Knight, Larimore, Lesueur, Lockhart, Lynn, Mahn, McCormick of St. Louis city, Pepper, Phelan, Price, Ragan, Reynolds, Swank, Taylor, Turner, Younger and Mr. Speaker—34.

ABSENT—Messrs. Arnold, Dilley, Dougherty, Hall, Mackey, McGarry, McKill, Pollard, Rawlings, Souder, Vancleve and Wisby—12.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Farr, Louthan, McDaniel, McIntyre, Patterson of Linn, Whitaker and Wiley—11.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Morrison and Wells—5.

Leave of absence was granted the special committee appointed to prepare articles of impeachment against Elijah Gates, State Treasurer, until to-morrow morning.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate substitute for Senate bills Nos. 46 and 123, entitled An act to classify property for the purposes of taxation, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

Senate substitute for Senate bills Nos. 46 and 123; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Bashaw, Berry, Berryman, Bohannon, Bonham, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Windes and Younger—91.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Booth, Boulware, Bowman, Cooper, Cowan of Christian, Dade, Dawson, Haynes, Hynes, Ingram, Mackey, McKinney, Pehle, Pepper, Settles, Swank and Withers—21.

ABSENT—Messrs. Adams, Arnold, Burford, Hall, Kendall, McKill, Pollock, Pollard, Rawlings, Souder, Spring, Talbot, Tevis, Wisby and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Farr, Louthan, McDaniel, McIntyre, Patterson of Linn, Whitaker and Wiley—11.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Morrison and Wells—5.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Johnson,

Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Windes, Younger and Mr. Speaker—102.

NOES—Messrs. Alldridge, Beckner, Booth, Bowman, Burford, Cooper, Dade, Haynes, Hynes, Ingram, Kniesley, McKinney, Pepper, Settles, Talbot and Withers—16.

ABSENT—Messrs. Arnold, Brady, Dawson, Helm, Pollard, Rawlings, Souder, Swank and Wisby—9.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Crowther, Dryden, Farr, Louthan, McDaniel, McIntyre, Patterson of Linn, Whitaker and Wiley—11.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Morrison and Wells—5.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wells was reported sick.

Leave of absence was granted Mr. Organ for ten days.

Leave of absence was granted Mr. Vancleve for five days.

Leave of absence was granted Mr. Ham for ten days.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 544, entitled An act fixing the compensation of the Secretary of the Senate and Chief Clerk of the House of Representatives, and find the same truly and correctly enrolled; which was read.

House bill No. 544 was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Senate substitute No. 3 for Senate bill No. 62, entitled An act to revise and amend chapter 110 of the General Statutes of Missouri, concerning the acquisition and conveyance of real estate by aliens; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 2 for Senate bill No. 81, entitled An act to revise and amend chapter 192 of the General Statutes of the State of

Missouri, concerning boatmen; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 1 for Senate bill No. 81, entitled an act to revise and amend chapter 194 of the General Statutes of the State of Missouri, concerning salvage; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 264, entitled An act for the protection of California quails, and find the same truly and correctly enrolled; which was read.

House bill No. 264 was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was taken up.

Pending the consideration of the bill, Mr. Lesueur presented petitions from citizens of Johnson, Pettis and Lafayette counties, protesting against the employment of convict labor outside of the Penitentiary; which were read, and on motion, referred to the Committee on Penitentiary.

Pending the consideration of the bill, Mr. Tevis presented petitions from citizens of Johnson county, praying the Legislature to prevent any legislation interfering with the action of the Inspectors in leasing convicts to be worked outside of Cole county; which were read, and, on motion, referred to the Committee on Penitentiary.

Mr. Anderson moved to reconsider the vote by which the bill was ordered to engrossment and printing.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute 19 for Senate bill No. 52, entitled An act to revise and amend chapter 151 of the General Statutes of Missouri, concerning ejectionment, in which the concurrence of the House is respectfully requested; which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
 April 3, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I return to the House, with my approval indorsed thereon, bills of the following titles:

An act for the protection of California quails.

An act fixing the compensation of the Secretary of the Senate and Chief Clerk of the House of Representatives.

Very respectfully,

JOHN S. PHELPS.

Which was read.

The House resumed the consideration of the motion to reconsider the vote by which House bill No. 444 was ordered to engrossment and printing.

Pending the consideration of which,

On motion of Mr. Settles, the House took a recess until 2½ o'clock

P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

The House resumed the consideration of House bill No. 444, pending at the hour of recess.

The question being upon the motion to reconsider the vote by which the bill was ordered to engrossment and printing,

The ayes and noes were demanded, and the motion to reconsider prevailed by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berryman, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Cook, Cowan of Holt, Cox, Craig, Dale, Davis, Dawson, Dilley, Dodson, Drum, Dryden, Ellis, Finks, Foster, Freed, Gwynne, Ham, Harrigan, Hubbard, Hynes, Helm, Kendall, Knight, Lackland, Louthan, Mabrey, Maynard, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKinney, Phelan, Pollock, Pollard, Powers, Ragan, Riley, Saunders, Settles, Spring, Swank, Talbot, Tiernan, Turner, Waggener, Wells and Wisby
 —63.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Brady, Burrows, Chilton, Cloud, Cock, Collins, Cooper, Cowan of Christian, Creager, Crow, Dade, Diercks, Dougherty, Ewing, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart,

Lynn, Mackey, Mahn, Manistre, Miles, Mott, McCormick of St. Louis city, McDaniel, McKill, O'Malley, Palmer, Pepper, Powell, Price, Reynolds, Smith of Cedar, Tevis, Warren, Weygandt, Windes, Withers, Younger and Mr. Speaker—58.

ABSENT—Messrs. Burford, Gray, Harrington, Patterson of Schuyler, Pehle, Souder and Smith of St. Louis city—7.

ABSENT WITH LEAVE—Messrs. Carroll, Crowther, Farr, Greer, Organ, Patterson of Linn, Taylor, Vancleve, Whitaker and Wiley—11.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, and Morrison—4.

Mr. Tevis presented a petition from citizens of Johnson county, praying the Legislature to remove from their county and confine in the penitentiary, the convicts now worked in that county; which was read, and, on motion, referred to the Committee on Penitentiary.

Leave of absence was granted Mr. Greer for four days.

Leave of absence was granted Mr. Drum for eight days.

Mr. Anderson offered the following amendment to House bill No. 444:

Amend section 16 by striking out the words "no convict" in the fifth line and inserting in lieu thereof the words "convicts," and by striking out the word "except" in the sixth line, and by striking out all of said section between the word "terms" in the 17th line and the word "no" in the 19th line, and insert in lieu thereof the following words: "and, provided further, that when any considerable number of convicts cannot be advantageously employed within the prison walls, the Warden and Inspectors may, in their discretion, enter into contract for the employment of convict labor outside of the prison walls, due regard being had to the best interests of the State, and to the safe keeping, health and reformation of the convicts;" which was read.

Pending the consideration of the amendment,

On motion of Mr. Collins, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-FIRST DAY—FRIDAY, April 4, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.
Leave of absence was granted Mr. Wells for seven days.
Leave of absence was granted Mr. Carleton for five days.
Leave of absence was granted Mr. Powers for ten days.
Leave of absence was granted Mr. Berryman for four days.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union military bonds, and the interest due thereon, approved February 15, 1870, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 360, entitled An act to amend sections 1 and 2 of an act to provide for a uniform system of county courts, approved April 27, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House Bill Nos. 233, 268 and 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Pepper introduced House bill No. 621, entitled An act to prescribe and regulate the duties of the circuit attorney of the eighth judicial circuit, and the prosecuting attorneys of the counties of Lincoln, Warren and St. Charles; which was read the first time and laid over.

Mr. Pepper presented a petition from citizens of Pike county, praying the Legislature for an amendment to the school laws, authorizing the opening of the polls for elections for school purposes, at some convenient place other than the school house; which was read, and, on motion, referred to the Committee on Education.

Mr. McCormick of St. Louis introduced bill No. 622, entitled An act declaring rebates illegal, and providing penalties for violation thereof; which was read the first time and laid over.

Mr. McCormick of St. Louis, introduced House bill No. 623, entitled An act providing for the removal of justices of the peace and ministerial officers for extortion, malfeasance or oppression in office; which was read the first time and laid over.

Mr. Arnold introduced House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshalls, coroners and all clerks of courts of record, and other officers, to keep an account of and pay over fees of witnesses and others, when collected by them, approved March 24th, 1874; which was read the first time and laid over.

Mr. Harrigan introduced House No. 625, entitled An act authorizing the appointment of a clerk for circuit attorneys in cities having a population of 200,000 inhabitants, or more, and providing for their compensation; which was read the first time and laid over.

Mr. Harrigan introduced House bill No. 626, entitled An act to amend an act entitled an act to abolish the offices of circuit and county attorneys, and to provide for the election of prosecuting attorneys, by adding a new section thereto, to be designated section 6; which was read the first time and laid over.

Mr. Cowan of Holt introduced bill No. 627, entitled An act to amend section 2 of chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts; which was read the first time and laid over.

Mr. Mott presented a petition from citizens of South St. Louis, praying for the repeal of the street railway law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Wiley presented a petition from citizens of Randolph county, praying that the amendment to the act creating the Sturgeon court of common pleas, now before the Legislature, may become a law; which was read, and, on motion, referred to the Committee on Judiciary.

Leave of absence was granted Mr. Louthan until Monday, April 7, 1879.

Mr. Burrows introduced bill No. 628, entitled An act to authorize county courts to investigate county records; which was read the first time and laid over.

Mr. Tevis presented a petition from citizens of Johnson county, praying the Legislature to enact a law confining the convicts within the prison walls; which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Maynard presented a petition from citizens of Buffalo township, Newton county, praying the Legislature to so change the Constitution, as to abolish the grand jury system; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. McIntyre offered the following resolution:

Resolved, That the Committee on Accounts be authorized and instructed to audit the account of Carter & Regan, for one hundred and fifty copies per day of the Tribune, containing the official proceedings of the House, at four cents per copy, to be paid out of the contingent fund of the General Assembly; which was read and not adopted.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report:

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred House bill No. 559, entitled An act to amend an act entitled an act to amend section 52 of chapter 34 of the General Statutes of Missouri, same being section 52, chapter 39, Wagner's Missouri Statutes of 1872, and also section 1 of an act entitled an act amendatory of chapter 34, title 11, of the General Statutes of State of Missouri, approved March 24, 1868, so far as the same apply to Miller county only, the same being section 83 of chapter 34 of Wagner's Missouri Statutes, 1872, approved March 29, 1875, and to provide for an election in Miller and Camden counties, upon the proposition to strike off a portion of Miller county and to add the same to Camden county, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 559 was taken up, and, on motion, ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred substitute for Senate joint and concurrent resolution No. 4, entitled Joint and concurrent resolution requesting Senators and Representatives in Congress to vote for, and use all means in their representative capacity to establish an efficient and stable government in the Indian Territory, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate joint and concurrent resolution No. 4 was taken up, and, on motion, further consideration postponed, and the resolution made the special order for Tuesday, April 8, at 10 o'clock.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred substitute for Senate bill No. 68, entitled An act to revise and amend title 20, chapter 55 of the General Statutes of the State of Missouri, concerning ferries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Substitute for Senate bill 68; was taken up, and, on motion, referred to the Joint Committee on Revision.

The House resumed the consideration of House bill No. 444, pending at the hour of adjournment on yesterday; the question being upon agreeing to the amendment offered by Mr. Anderson.

Pending the consideration of the amendment, Mr. Belch presented a petition from citizens of Pettis county against the working of convicts outside the Penitentiary; which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Wiley, from the Special Committee appointed to prepare articles of impeachment against Elijah Gates, State Treasurer, submitted the following report and articles of impeachment:

MR. SPEAKER: Your committee appointed to prepare articles of impeachment against Elijah Gates; Treasurer of the State of Missouri, beg leave to submit the following articles and specifications, and recommend their adoption by the House.

F. P. WILEY,

Chairman of Committee.

Articles of impeachment exhibited by the House of Representatives of the State of Missouri, for themselves, and on behalf of all the people of the State of Missouri, against Elijah Gates, Treasurer of the State of Missouri, in support of their impeachment against him for high crimes and misdemeanors in office, and for official misconduct.

ARTICLE I. That the said Elijah Gates was, on the 8th day of January, 1877, duly commissioned and qualified as Treasurer of the State of Missouri, duly inducted into office as such, and has at all times since said date, and at the time hereinafter mentioned, held said office as such Treasurer of said State.

That as such Treasurer it is his duty to receive and keep all moneys of the State, not expressly provided by law to be kept by some other person, and to disburse the public moneys upon warrants drawn upon the treasury according to law, and not otherwise. That unmindful of the high duties of his said office, and of his oath of office, and in violation of law did loan to certain persons, companies, corporations and individuals, public moneys of the State of Missouri; and thereby the said Elijah Gates was guilty of high crimes and misde-

meanors in office, and official misconduct in his said office of Treasurer in this, to-wit:

SPECIFICATIONS.

Specification 1.—That said Elijah Gates, Treasurer as aforesaid, unmindful of the high duties of his office, and of his oath of office, and in violation of law, did on the 7th day of January, 1877, loan to the bank of St. Joseph, of St. Joseph, Missouri, a corporation existing under the laws of said State, a large sum of money, to-wit: The sum of \$502,000, then and there being a portion of the public moneys of the State of Missouri, received by him, as Treasurer as aforesaid, for safe-keeping and disbursement, whereby said Elijah Gates was guilty of a high crime in his said office.

Specification 2.—That on the 29th day of June, 1877, the said Elijah Gates, Treasurer as aforesaid, in violation of law, and regardless of the high duties of his office, and of his oath of office, loaned to the Mastin Bank of Kansas City. in said State, a corporation existing under the laws of said State, a large sum of money to-wit: The sum of \$434,715.49, being then and there a part of the public moneys of said State received by Elijah Gates for safe-keeping and disbursement; whereby said Elijah Gates was guilty of a high crime in office.

Specification 3.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and unmindful of the high duties of his office, and of his oath of office, did on the 29th day of January, 1878, loan to said Mastin bank, John J. Mastin and Thomas Mastin, a large sum of money, to-wit: the sum of \$318,500, then and there being public moneys of the State of Missouri, received by him, the said Elijah Gates, for safe-keeping and disbursement; whereby said Elijah Gates was guilty of a high crime in office.

Specification 4.—That the said Elijah Gates, Treasurer as aforesaid, in violation of law, and in disregard of the high duties of his office, and of his oath of office, did loan to the First National Bank of Warrensburg, at Warrensburg, in said State, a corporation duly existing under the laws of this State, the following sums of money, to-wit: January 22d, 1877, \$7,131.86; February 13th, 1877., \$5,644.53; March 6th, 1877, \$10,854.73; on March 6th, 1877, \$1,496.88, then and there being part of the public moneys of said State, received by him for safe keeping and disbursement; whereby said Elijah Gates was guilty of high crimes in office.

Specification 5.—That on the 14th day of January, 1878, the said Elijah Gates, Treasurer as aforesaid, in violation of law, and regardless of the duties of his high office, and of his oath of office, did loan the said bank at Warrensburg, the sum of \$10,000, being then and there part of the public moneys of said State, received by him for safe-keep-

ing and disbursement; whereby the said Elijah Gates was guilty of a high crime in office.

Specification 6.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and regardless of the high duties of his office, and of his oath of office, did on the 18th day of January, 1878, loan to said bank at Warrensburg, the sum of \$5,000, being then and there a part of the public moneys of the State of Missouri, received by him for safe-keeping and disbursement; whereby said Elijah Gates was guilty of a high crime in office.

Specification 7.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and in disregard of the high duties of his office, and of his oath of office, did, on the 9th day of January, 1877, loan to the National Exchange Bank of Jefferson City, Missouri, a corporation existing under the laws of the State, the sum of \$10,000, then and there being a part of the public moneys of the said State, received by him for safe-keeping and disbursement; whereby said Elijah Gates was guilty of a high crime in office.

ARTICLE II. That the said Elijah Gates, Treasurer as aforesaid, in violation of law, and unmindful of the high duties of his office, and of his oath office, did transfer and pass over the safe-keeping and control of the public moneys of the State of Missouri, to individuals and corporations, instead of receiving and keeping the same in person, as provided by law, and which it was his duty to do; whereby the said Elijah Gates was guilty of misdemeanors in office, in this, to-wit:

SPECIFICATIONS.

Specification 1.—That the said Elijah Gates, unmindful of the high duties of his office, and of his oath of office, and in violation of law, did, at the times hereinbefore shown, and more particularly set out in article 1, and to which due reference is here made, transfer and pass over to the banking institutions hereinbefore mentioned in article 1, the care, custody, control, management and keeping of portions of the public moneys of the State of Missouri, received by him for safe-keeping and disbursement; whereby the said Elijah Gates was guilty of misdemeanor in office.

Specification 2.—That the said Elijah Gates, treasurer as aforesaid, in violation of law and regardless of the high duties of his office, and of his oath of office, did, on or about the 8th day of January, 1877, aid, abet and assist James N. Burnes, John J. Mastin, Thomas H. Mastin, James H. Britton, A. W. Ridings, and divers other persons, whose names to this House are unknown, to employ, lay out and use for profit, in a manner not authorized by law, public funds of the State of Missouri, at that time, then and there being; whereby the said Elijah Gates was guilty of misdemeanors in office.

Specification 3.—That the said Elijah Gates, treasurer as aforesaid, in violation of law, and regardless of the duties of his high office and oath of office, permitted, consented to, and upheld said persons mentioned in the next preceding specification, at divers times, between the 8th day of January, 1877, and the 15th day of October, 1878, using and employing the public funds of the State of Missouri in a manner not authorized by law; whereby said Elijah Gates was guilty of misdemeanors in office.

ARTICLE III. That said Elijah Gates, treasurer of the State of Missouri as aforesaid, in violation of law, and regardless of the high duties of his office and oath of office, did heretofore, to-wit: On the 29th day of January, 1878, at the county of Jackson, in this State, loan to a certain banking institution, organized and existing under the laws of the State, called and known as the Mastin Bank, located at Kansas City, Missouri, a large sum of money, to-wit: the sum of \$131,000, then and there being public funds of the State of Missouri, received by him as such treasurer, for safe keeping and disbursement, and he, the said Elijah Gates, thereby became and was guilty of a high crime and misdemeanor in office.

ARTICLE IV. That the said Elijah Gates, treasurer as aforesaid, in violation of law, and regardless of the high duties of his office and his oath of office, did heretofore, to-wit: On the — day of —, 1878, at the county of Jackson aforesaid, convert to his own use, a large sum of money, to-wit: the sum of \$5,000.00, then and there being public funds of the State of Missouri, received by him as treasurer as aforesaid, by then and there unlawfully using, transferring and delivering the same to one ——— Chrisman and ——— Reid for indemnity to them as the sureties of the said Elijah Gates, upon a certain attachment bond of said Gates in a suit instituted by him, the said Gates, for his individual benefit and protection, and he thereby became and was guilty of a high crime and misdemeanor in office.

ARTICLE V.—That said Elijah Gates, Treasurer, as aforesaid, in violation of law, and regardless of the high duties of his office and of his oath of office, did, between the 10th day of January and the 20th day of January, 1878, at the county of Johnson, in the State of Missouri, take and convert to his own use a large sum of money, to-wit: The sum of \$15,000, then and there being public funds of the State of Missouri, in this, to-wit: He, the said Elijah Gates, directed, authorized and permitted one A. W. Ridings, then and there being the president of the First National Bank of Warrensburg, Missouri, to receive on deposit from the county collector of the said county of Johnson, as part of the public funds due from said collector to the State of Mis-

souri, the said sum of money, and to issue to him, said Elijah Gates, in his own name, two certificates of deposit, as follows: One on the 10th day of January, 1878, for the sum of \$10,000, and on the — day of January, 1878, for the sum of \$5,000, which said certificates were so received and held by said Elijah Gates, in his own name, for a long period of time, to-wit: From the dates last aforesaid until the 22d day of June, 1878, and thereby the said Elijah Gates was guilty of high crimes and misdemeanors in office.

ARTICLE VI.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and being unmindful of the high duties of his office and of his oath of office, did, at divers times between the 8th day of January, 1877, and the 15th day of October, 1878, loan large sums of money to the following banking institutions, to-wit: The Mastin Bank, at Kansas City, Missouri; the Bank of St. Joseph, at St. Joseph, Missouri; the National Exchange Bank, at Jefferson City, Missouri, and the First National Bank of Warrensburg, at Warrensburg, Missouri, then and there being public funds of the State of Missouri, received by him as such Treasurer for safe keeping and disbursement, and the said Elijah Gates was thereby guilty of high crimes and misdemeanors in office.

ARTICLE VII.—That the said Elijah Gates, Treasurer as aforesaid, in violation of law, and regardless of the high duties of his office and of his oath of office, did willfully, knowingly and unlawfully aid, allow, assist and permit divers persons and corporations, at divers times, between the 8th day of January, 1877, and the 15th day of October, 1878, to combine and confederate together for the purpose of getting control of the public funds of the State of Missouri, committed to him and received by him as such Treasurer for safe keeping and protection, and did allow and permit said persons and corporations to use, invest and loan said public funds for the profit and gain of said persons and corporations, and thereby the said Elijah Gates was guilty of high crimes and misdemeanors in office.

ARTICLE VIII.—The said Elijah Gates, Treasurer as aforesaid, in violation of law, and in disregard of the high duties of his office and of his oath of office, on the 14th day of January, 1879, unlawfully contriving and intending to conceal the condition of the Treasury of the State of Missouri, and of his accounts as such Treasurer, did falsely represent, state and report to the General Assembly of the State of Missouri, that he had received from Joseph W. Mercer, the former Treasurer of the State of Missouri, and the predecessor of said Elijah Gates, a large sum of money in settlement with said Joseph W. Mercer, to-wit: the sum of \$502,000, when, in truth and in fact, said Elijah Gates did not receive said sum of money, but received from said

Joseph W. Mercer two checks, drafts or evidences of indebtedness drawn by said Joseph W. Mercer upon the banking institutions of the State of Missouri; whereby said Elijah Gates was guilty of misconduct in office.

ARTICLE IX.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and in disregard of the high duties of his office and of his oath of office, did, on the — day of —, 1878, accept, receive and take from James N. Burnes, N. P. Ogden and the Bank of St. Joseph, forty-nine Clinton county bonds of the denomination of one thousand dollars each, in release and discharge of all liabilities of said parties to the State of Missouri, on account of public moneys of the State of Missouri held by the said parties, for and in the place of lawful moneys of the United States; whereby the said Elijah Gates was guilty of official misconduct.

ARTICLE X.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and unmindful of the high duties of his office and of his oath of office, did, on the 29th day of January, 1878, aid, assist and abet, by use of public money and the credit of the State of Missouri, in the purchase, sale, traffic and transfer between John J. Mastin, Thomas H. Mastin, the Mastin Bank, at Kansas City, Missouri, James N. Burnes, N. P. Ogden and the Bank of St. Joseph, at St. Joseph, Missouri, of certain claims and evidences of indebtedness; whereby the said Elijah Gates was guilty of official misconduct.

ARTICLE XI.—That said Elijah Gates, Treasurer as aforesaid, in violation of law and regardless of the high duties of his office, and of his oath of office, did, on the 28th day of January, 1878, execute, make out, sign and deliver to James N. Burnes, two checks, drafts or evidences of indebtedness for large sums of money against the public funds of the State of Missouri, then and there being in the Bank of St. Joseph, at St. Joseph, Missouri, without inquiry or knowledge as to the purpose or intended use of said public moneys, and in a manner not sanctioned or authorized by law; whereby said Elijah Gates was guilty of official misconduct.

ARTICLE XII.—That said Elijah Gates, Treasurer as aforesaid, regardless of the high duties of his office, and his oath of office, did, on the — day of —, 1877, take of the public funds of the State of Missouri, a large sum of money, to-wit: The sum of \$131,000, and deposit the same in the Mastin Bank, at Kansas City, Missouri, well knowing at the time of making said deposit, that said bank was insolvent and in failing circumstances, and that said public funds were in great danger of being lost to the State of Missouri, and thereby the said Elijah Gates was guilty of official misconduct.

ARTICLE XIII.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and in disregard of the high duties of his office, and his oath of office, did permit, allow and consent to the reloaning, use, parcelling out and distribution of the public moneys of the State of Missouri, by him placed in the Bank of St. Joseph, at St. Joseph, Missouri, to various persons, corporations and banking institutions, thereby hazarding and endangering said public funds and causing a part of said public moneys to be involved in the failure of said persons and institutions to the injury of the credit of the State, and to the detriment of the interests of the Treasury of the State; whereby said Elijah Gates was guilty of official misconduct.

ARTICLE XIV.—That said Elijah Gates, Treasurer as aforesaid, regardless of the high duties of his office, and his oath of office, did, between the 8th day of January, 1877, and October 15th, 1878, wilfully and knowingly, violate the provisions of section 15, article ten of the Constitution of the State of Missouri, whereby the public funds of the State of Missouri could have been loaned as therein provided, to the use and for the benefit of the State, and a large sum of money saved to the State, which said Elijah Gates wholly neglected, failed and refused to do, and, in violating said section and article of the Constitution, said Elijah Gates was guilty of official misconduct.

ARTICLE XV.—That said Elijah Gates, Treasurer as aforesaid, in violation of law, and unmindful of the high duties of his office, and his oath of office, failed and neglected to keep the funds and public moneys of the State of Missouri, and to disburse the same only upon warrants drawn by the State Auditor, but at divers times, since the 8th day of January, 1877, intrusted their custody to various persons and corporations, thereby causing in the failure and suspension of said persons and corporations, the withdrawal from the Treasury of the State, and the deficiency in the amounts of public moneys, subject to the call and demand of the State, of a large sum of money, to-wit: The sum of \$348,000 to the injury of the credit of the State; whereby the said Elijah Gates was guilty of official misconduct.

And the House of Representatives, saving to themselves the right of exhibiting, at any time hereafter, any other or further articles or accusations of impeachment against the said Elijah Gates, and also of replying to his answers hereto, or to any of the foregoing articles or to any that may be hereafter exhibited against him, and of offering proof to all and any of said articles, and to any that may be exhibited against him, as the case may require, do demand that said Elijah Gates may be put to answer the said crimes, misdemeanors and official mis-

conduct, and that such proceedings, examinations, trials and judgments may be had and given as are and may be agreeable to law and justice.

F. P. WILEY, Chairman Com.
M. F. TAYLOR,
JNO. D. S. DRYDEN,
JNO. J. LOUTHAN.

Which were read, and, on motion, 250 copies ordered printed.

Mr. Taylor, from the special committee, appointed to prepare articles of impeachment against Elijah Gates, State Treasurer, offered the following resolution :

Resolved, That the House of Representatives do now impeach Elijah Gates, Treasurer of the State of Missouri, for high crimes and misdemeanors in office, and of official misconduct, and for the purpose of obtaining the trial of the same, adopt the articles of impeachment reported to the House by the special committee heretofore appointed by its Speaker, to prepare and report articles of impeachment against said Elijah Gates, and request that the Senate, in due season, inquire into and try the same.

Resolved, further, That the Clerk of this House transmit to the Senate, these resolutions and the said articles of impeachment ; which was read.

Mr. Taylor moved to postpone the further consideration of the resolution and articles of impeachment, until Wednesday, April 9th.

Mr. Louthan moved to amend by postponing until Tuesday, April 22d.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote :

AYES—Messrs. Ballew, Bashaw, Berryman, Bohannon, Boulware, Bryan, Carleton, Chilton, Cock, Collins, Cook, Cox, Craig, Creager, Crowther, Dale, Davis, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Gwynne, Hayes, Ham, Hammons, Helm, Lackland, Louthan, Mabrey, Mahn, Moler, Mudd of Lincoln, McDaniel, McElvain, McIntyre, McKill, O'Malley, Patterson of Schuyler, Powers, Price, Ragan, Rawlings, Riley, Settles, Swank, Tevis, Turner, Waggener, Warren, Wells and Windes—53.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Berry, Bonham, Booth, Bowman, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Chenoweth, Cloud, Cooper, Cowan of Christian, Cowan of Holt, Crow, Dade, Diercks, Dilley, Dryden, Gray, Hall, Hale, Harrigan, Harrison, Ingram, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Manistre, Miles, Mott, Mudd of St. Louis, Mc-

Garry, McKinney, Palmer, Pehle, Pepper, Phelan, Powell, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Weygandt, Wiley, Withers and Younger—58.

ABSENT—Messrs. Arnold, Brady, Dawson, Foster, Freed, Haynes, Harrington, Hubbard, Hynes, Johnson, Kendall, Kneisley, Maynard, McCormick of Washington, McCormick of St. Louis city, Pollock, Pollard, Saunders, Souder, Wisby and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Carroll, Farr, Greer, Organ, Patterson of Linn, Vancleve and Whitaker—7.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

The question recurring upon the motion to postpone until Wednesday, March 9; it was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the President of the Senate has appointed on the part of the Senate, in accordance with the provisions of an act declaring that certain bonds have been paid, and are no longer a claim against the State, and directing their cancellation, Senators Phelan and Edwards of Lafayette; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into, and passed the Senate, substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, in which the concurrence of the House is respectfully requested; which was read.

Leave of absence was granted Mr. Foster for four days.

Mr. Maynard was reported sick.

The House resumed the consideration of House bill No. 444.

The question being upon agreeing to the amendment offered by Mr. Anderson,

Mr. Louthan offered the following amendment to the amendment:

Amend by adding after the word "walls" the following: "Provided, that such convict labor shall not be employed in any county in this State outside of the prison walls, only upon State works, unless at an election held in any county two-thirds of the legal voters shall be in favor of the employing of such convict labor within their county;" which was read and not agreed to.

The question recurring upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote :

AYES—Messrs. Anderson, Andrews, Arnold, Ballew, Berryman, Bowman, Brown, Bryan, Burford, Carleton, Chenoweth, Chilton, Cowan of Holt, Craig, Creager, Dale, Davis, Dawson, Dilley, Dodson, Drum, Ellis, Freed, Ham, Harrigan, Hubbard, Hynes, Helm, Kendall, Lackland, Louthan, Mabrey, Moler, McElvain, McIntyre, Pollard, Powers, Ragan, Rawlings, Riley, Settles, Spring, Swank, Talbot, Tiernan, Turner and Wells—47.

NOES—Messrs. Adams, Alldridge, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Burrows, Campbell of Atchison, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Crow, Crowther, Dade, Diercks, Dougherty, Dryden, Ewing, Finks, Gray, Gwynne, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey Mahn, Manistre, Miles, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Price, Reynolds, Smith of Cedar, Smith of St. Louis city, Taylor, Tevis, Waggener, Warren, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—73.

ABSENT—Messrs. Brady, Cox, Foster, Haynes, Johnson, Maynard, Mudd of Lincoln, O'Malley, Pollock, Saunders, Souder and Wisby—12.

ABSENT WITH LEAVE—Messrs. Carroll, Farr, Greer, Organ, Patterson of Linn, Vancleve and Whitaker—7.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman and Morrison—4.

Mr. Davis offered the following amendment :

Strike out section 3, and insert the following in lieu thereof :

Section 3. The Treasurer, Auditor and Attorney-General shall be ex-officio inspectors of the penitentiary, who shall severally take the oath of office prescribed by the constitution, before they enter upon the discharge of their duties as inspectors, which shall be filed in the office of the Secretary of State ; which was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote :

AYES—Messrs. Anderson, Arnold, Ballew, Boulware, Brewer, Campbell of Atchison, Carleton, Chenoweth, Cowan of Holt, Davis, Dawson, Dilley, Drum, Ellis, Freed, Gwynne, Ham, Hubbard, Hynes, Helm, Knight, Mabrey, Miles, Moler, Mudd of Lincoln, Mudd of St.

Louis, McIntyre, McKill, McKinney, Pollock, Pollard, Powers, Ragan, Swank, Taylor, Tiernan, Turner, Waggener, Wells and Windes—40.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Bohnannon, Bonham, Booth, Bowman, Brady, Brown, Bryan, Burford, Burrows, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Dryden, Ewing, Finks, Gray, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Mott, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Price, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Tevis, Warren, Weygandt, Wiley, Withers, Younger and Mr. Speaker—81.

ABSENT—Messrs. Beckner, Haynes, Harrigan, McGarry, Saunders, Souder, Talbot and Wisby—8.

ABSENT WITH LEAVE—Messrs. Berryman, Carroll, Farr, Foster, Greer, Organ, Patterson of Linn, Vancleve and Whitaker—9.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Maynard and Morrison—5.

Mr. Pepper offered the following amendment:

Amend section 16, lines 12 and 13, by striking out the words "within two miles of the penitentiary," and inserting the words "anywhere within the State;" which was read and agreed to.

Mr. Dodson offered the following amendment:

Amend section 54 by adding thereto the following: "provided, that nothing in this act shall be so construed as to allow any deduction for good time made when the conviction and sentence is for murder in the first degree; which was read.

Mr. Mudd of St. Louis offered the following substitute for the amendment:

Amend by striking out sections 53, 54 and 55, and insert in lieu of section 53 the following words:

SECTION 53. Any convict who is now, or may be hereafter confined in the penitentiary, and who shall serve three-fourths of the time for which he or she may have been sentenced, in an orderly and peaceable manner, without having any infraction of the rules of the prison, or laws of the same recorded against such convict, he or she shall be discharged in the same manner as if said convict had served the full time for which sentenced, and, in such case, no pardon from the Governor shall be required; which was read and agreed to.

Mr. Mudd of St. Louis offered the following amendment:

Amend section 9, lines 8 and 9, by striking out after the word "with" the words "the table of commutation of terms of sentence contained in this act," and inserting in lieu thereof the words "a fair copy of section 53 of this act;" which was read and agreed to.

Mr. Lesueur offered the following amendment:

Amend by striking out the word "one" in line 1, section 49, and inserting the word "two;" which was read and agreed to.

Mr. Lesueur offered the following amendment:

Amend by striking out the word "one" in line 1, section 50, and inserting the word "two;" which was read and agreed to.

Mr. Dade offered the following amendment:

Amend House bill No. 444, by striking out sections 51 and 52; which was read and agreed to.

Mr. Lesueur moved that the bill as amended be ordered engrossed and printed, and that the bill be made the special order for Tuesday, March 8, at 10 o'clock.

The ayes and noes being demanded, the motion prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Finks, Gray, Hayes, Hall, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Warren, Weygandt, Wiley, Windes, Withers, Younger and Mr. Speaker—100.

NOES—Mr. Dawson—1.

ABSENT—Messrs. Arnold, Boulware, Chenoweth, Creager, Davis, Freed, Gwynne, Haynes, Hynes, Helm, Kendall, Knight, Moler, McCormick of St. Louis city, McKinney, Pollock, Saunders, Souder, Swank, Taylor, Tiernan, Waggener and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Carroll, Drum, Dryden, Farr, Foster, Greer, Ham, Organ, Patterson of Linn, Vancleve, Wells and Whitaker—14.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Maynard and Morrison—5.

Mr. Davis moved to reconsider the vote by which the substitute for House concurrent resolution No. 19 was ordered to engrossment and printing; which was agreed to.

Mr. Davis moved to reconsider the vote by which the substitute for House concurrent resolution No. 19 was agreed to; which was agreed to.

Mr. Davis offered a substitute for House concurrent resolution No 19; which was agreed to.

The question being upon agreeing to the substitute,

The ayes and noes were demanded, and the substitute was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Dodson, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Palmer, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Warren, Wells, Windes and Withers—88.

NOES—Messrs. Booth, Brady, Cooper, Crowther, Diercks, Dryden, Gwynne, Hayes, Hall, Harrigan, Kneisley, Manistre, Moler, Mott, McDaniel, McGarry, Phelan, Saunders and Settles—19.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Dilley, Haynes, Kendall, Lackland, Lesueur, McCormick of St. Louis city, O'Malley, Patterson of Schuyler, Pollock, Rawlings, Souder, Taylor, Tiernan, Waggener, Weygandt, Wiley, Wisby and Younger—18.

ABSENT WITH LEAVE—Messrs. Berryman, Carroll, Drum, Farr, Foster, Greer, Ham, Louthan, Organ, Patterson of Linn, Vancleve and Whitaker—12.

SICK—Messrs. Campbell of St. Louis city, Chitwood, Coleman, Morrison and Maynard—5.

On motion, the substitute was ordered engrossed and printed.

Senate substitute No. 2 for Senate bill No. 56, entitled An act to revise and amend chapter 115 of the General Statutes of Missouri, concerning husband and wife and rights of married women; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 2 for Senate bill No. 62, entitled An act to amend chapter 109 of the General Statutes of Missouri, concerning the conveyance of real estate; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Brady rose to a question of privilege, and stated that had he been present this morning when the vote was taken on Mr. Anderson's amendment to House bill No. 444, leaving the employment of convict labor outside of the prison walls to the discretion of the Warden and Inspectors, he would have voted against the amendment.

Mr. Craig offered the following resolution :

Resolved, That the use of this hall be granted to Mrs. Parry for Saturday and Sunday nights, for the purpose of delivering her lectures; which was read and adopted.

On motion of Mr. Settles, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-SECOND DAY—SATURDAY, April 5, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Settles, the further reading was dispensed with.

House bill No. 606, entitled An act to amend an act entitled an act in relation to the public institutions of the State; was called up, read the second time, and on motion referred to the Committee on Scientific and Benevolent Institutions.

House bill No. 697, entitled An act regulating the interest of money; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7 east of the fifth principal meridian; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 609, entitled An act supplementary to and amendatory of an act entitled an act for the incorporation of insurance companies other than life insurance companies, and for the regula-

tion of insurance companies, approved March 10, 1869, being article 3 of chapter 76 of Wagner's Missouri Statutes, by adding thereto the following sections; was called up, read the second time, and, on motion referred to the Committee on Insurance.

House bill No. 610, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, the same being article 5 of chapter 111 of Wagner's Statutes, by inserting a new section in said chapter to be called section 15; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 611, entitled An act for the protection of orphans and children of poor parents; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 612, entitled An act to repeal the fourth section of an act entitled an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41, of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit, approved March 17, 1871; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 613, entitled An act declaring certain State bonds due and payable; was taken up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 614, entitled An act to amend section 36 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 615, entitled An act to admit Henry K. Legg of Barry county, to the practice of medicine and surgery in this State; was called up, read the second time, and, on motion, referred to the Committee on Local Bills.

House bill No. 616, entitled An act to authorize elections for the purpose of changing and defining boundary lines between counties; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

House bill No. 617, entitled An act to employ convict labor for the purpose of clearing up, and making productive the Agricultural and Mechanical College Farm belonging to the State; was called up,

read the second time, and, on motion, referred to the Committee on University.

House bill No. 618, entitled An act to amend an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 619, entitled An act to amend sections 3, 19 and 25 of chapter 10 of Wagner's Statutes, in relation to asylums; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 620, entitled An act to repeal an act entitled an act to encourage the destruction of grasshoppers, approved February 23, 1877; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 621, entitled An act to prescribe and regulate the duties of the circuit attorney of the 8th judicial circuit, and the prosecuting attorneys of the counties of Lincoln, Warren and St. Charles; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 622, entitled An act declaring advertising rebates illegal, and providing penalties for violation thereof; was taken up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 623, entitled An act providing for the removal of justices of the peace and ministerial officers for extortion, malfeasance, or oppression in office; was taken up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshals, coroners, and all clerks of courts of records and other offices, to keep an account of and pay over fees of witnesses and others when collected by them, approved March 24, 1874; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 625, entitled An act authorizing the appointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for their compensation; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 626, entitled An act to amend an act entitled an act to abolish the offices of circuit and county attorneys, and to pro-

vide for the election of prosecuting attorney, by adding a new section thereto, to be designated as section 6; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 627, entitled An act to amend section 2 of chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 628, entitled An act to authorize county courts to investigate county records; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

House concurrent resolution No. 46, entitled Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the State Constitution, in relation to clerk of the supreme court of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Dryden introduced bill No. 629, entitled An act to define a rule for computing life interests in estates; which was read the first time and laid over.

Mr. Mott introduced bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri of 1865; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 631, entitled An act to amend section 31 of chapter 38 of the General Statutes of the State of Missouri; which was read the first time and laid over.

Mr. Chenoweth introduced bill No. 632, entitled An act to amend section 27 of chapter 13 of the General Statutes of the State of Missouri, being of the collection of the revenue and miscellaneous provisions; which was read the first time and laid over.

Mr. Mott introduced bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865; which was read the first time and laid over.

Mr. Dryden presented a petition from citizens of St. Louis, praying the Legislature to repeal the street railroad act of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Creager introduced a joint and concurrent resolution, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their utmost exertion to prevent the further refunding of the five-twenty currency bonds into four per cent. coin bonds; which was read the first time and laid over.

Mr. Hall presented a petition from citizens of St. Louis, praying the Legislature to repeal the street railway act of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 253, entitled An act to amend section 2 of an act entitled an act to provide for a branch recorder's office in Jackson county, Missouri, approved March 22, 1873; was called up, and read the first time.

Substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made; was called up and read the first time.

Senate substitute No. 6 for Senate bill No. 82, entitled An act to revise and amend chapter 87 of the General Statutes of the State of Missouri, concerning contracts and promises; was called up, and read the first time.

Senate substitute No. 5 for Senate bill No. 82, entitled An act to revise and amend chapter 102 of the General Statutes of Missouri, concerning mills and millers; was called up, read the first time and laid over.

Senate substitute No. 3 for Senate bill No. 82, entitled An act to revise and amend chapter 99 of the General Statutes of the State of Missouri, concerning inn keepers and their responsibility to their guests; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 82, entitled An act to revise and amend chapter 91 of the General Statutes of the State of Missouri, concerning letters of attorney; was called up and read the first time.

Senate substitute No. 1 for Senate bill No. 82, entitled An act to revise and amend chapter 100 of the General Statutes of Missouri, concerning weights and measures; was called up and read the first time.

Senate substitute No. 17 for Senate bill No. 52, entitled An act to revise and amend chapter 149 of the General Statutes of the State of Missouri, concerning actions by United States collectors of revenue; was called up, read the first time, and laid over.

Senate substitute No. 16 for Senate bill No. 52, entitled An act to revise and amend chapter 148 of the General Statutes of the State of Missouri, concerning set offs; was called up and read the first time.

Senate substitute No. 15 for Senate bill No. 52, entitled An act to revise and amend chapter 147 of the General Statutes of the State of Missouri, concerning damages and contributions in actions of torts; was called up and read the first time.

Senate substitute No. 7 for Senate bill No. 52, entitled An act to revise and amend chapter 139 of the General Statutes of the State of

Missouri, concerning attorneys at law; was called up, read the first time and laid over.

Senate substitute No. 19 for Senate bill No. 52, entitled An act to revise and amend chapter 151 of the General Statutes of the State of Missouri, concerning ejectment; was called up and read the first time.

Senate Joint and concurrent resolution No. 21, entitled Joint and concurrent resolution, concerning the revision of the statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 273, entitled An act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the city of St. Louis, approved February 2, 1874; was called up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

Mr. Collins introduced bill No. 634, entitled An act to establish State Lunatic Asylum No. 2 near Lexington, Lafayette county, Missouri; which was read the first time and laid over.

Mr. Patterson of Schuyler introduced bill No. 635, entitled An act to regulate the sale of intoxicating liquor; which was read the first time and laid over.

Mr. Rawlings introduced bill No. 636, entitled An act to amend an act entitled an act to amend sections 18 and 26, chapter 189, General Statutes of Missouri, entitled of landlords and tenants; which was read the first time and laid over.

Mr. Hayes moved to reconsider the vote by which House bill No. 559 was ordered to engrossment and printing, and to have his motion to reconsider entered on the journal.

Mr. Mahn introduced bill No. 637, entitled An act to amend section 7 of article 1, chapter 76 of Wagner's Statutes, entitled insurance department; which was read the first time and laid over.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 560, entitled An act to amend section 18 of an act entitled an act establishing probate courts, approved April 9, 1877, beg leave to report that they have considered the same, and hereby return the same, with the accompanying amendments, without recommendation; which was read.

House bill No. 560 was taken up, and the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 1 by striking out the words "all counties," in the fourth line of the second page of bill, and insert

in lieu thereof the words "every county;" which was read and agreed to.

Amendment No. 2—Amend section 1 by striking out the word "counties," in the ninth line of second page of bill, and insert in lieu thereof the word "county;" which was read and agreed to.

Amendment No. 3—Amend section 1 by striking out all of said section after the word "January," in the twelfth line of the second page of the bill; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 10 for Senate bill No. 52, being an act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment, beg leave to report that they have considered the same and recommend that it do pass, with the amendment herewith submitted; which was read.

Senate substitute No. 10 for Senate bill No. 52 was taken up, with the following amendment recommended by the Committee on Judiciary:

Amend section 10 by striking out the words "if no sufficient property can be found in the county whereof to levy the amount due on said writ," in lines 3, 4 and 5 of said section of engrossed bill; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend by striking out section 43; which was read and agreed to.

On motion, the bill as amended was laid over informally.

Mr. Anderson, from the Committee on Retrenchment and Reform submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform to whom was referred House bill No. 602, entitled An act regulating the interest on money, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House bill No. 602 was taken up.

Mr. Bowman offered the following amendment:

Amend by excepting all school funds; which was read and not agreed to.

On motion, the bill was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 26 for Senate bill No. 52, being an act to revise and amend chapter 158 of the General Statutes of the State of Missouri concerning change of venue in civil cases, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted; which was read.

Senate substitute No. 26 for Senate bill No. 52, was taken up, with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Strike out section No. 1 and insert in lieu thereof the following:

SECTION 1. A change of venue may be awarded in any civil suit to any court of record, for any of the following causes:

First—That the judge is interested or prejudiced, or is related to either party, or has been of counsel in the cause.

Second—That the opposite party has an undue influence over the mind of the judge.

Third—That the inhabitants of the county are prejudiced against the applicant.

Fourth—That the opposite party has an undue influence over the inhabitants of the county; which was read and agreed to.

Amendment No. 2—Insert after section No. 1, as amended, a new section, to be numbered 2, and to read as follows:

SECTION 2. If the judge is interested, or related to either party, or shall have been of counsel in the cause, the court or judge shall award such change of venue without any application from either party, unless all parties in the cause consent that such judge may sit on the trial thereof, or a special judge for the trial thereof be agreed upon by the parties, or elected in the manner provided by law; which was read and agreed to.

Amendment No. 3—Amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, respectively, by changing the numbers thereof, respectively, from 2, 3, etc., to 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15; which was read and agreed to.

On motion, the bill, as amended, was laid over for a third reading.

Mr. Hall, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 460, entitled An act to repeal sections 3 and 4 of an act entitled an act to promote the payment of jurors in St. Louis county, approved January 29, 1847, and section 19 of an act entitled an act to provide for the reorganization of the St. Louis circuit court, and regulate proceedings therein, approved December

19, 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 460; was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 567, entitled An act to amend section 5 of an act for the classification of cities and towns, approved April 21, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 567; was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 414 entitled An act to prevent the destruction of timber on non-resident lands, having had the same under consideration, beg leave to report said bill back to the House without recommendation; which was read.

House bill No. 414 was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 542, entitled An act to amend chapter 205 of the General Statutes of Missouri, being article VII. of Wagner's Statutes entitled offenses against the public peace, or affecting the security of persons and property not before enumerated, by adding to said chapter the following new section, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 542, was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence to whom was referred House bill No. 497, entitled An act in relation to bastards and their maintenance, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 497 was taken up, and the House refused to order the bill to engrossment and printing.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 277, entitled An act to provide for the organization and government of the Missouri Militia, and to repeal all other acts and parts of acts inconsistent with this act, in which the concurrence of the House is respectfully requested;

Also, that the Senate has taken up and passed House bill No. 16, entitled An act to provide a jury system in cities having over 100,000 inhabitants; which was read.

Senate substitute for Senate bills Nos. 46 and 123, entitled An act classifying property for the purposes of taxation; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence to whom was referred House bill No. 500, entitled bastardy act, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 500; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence to whom was referred House bill No. 178, entitled An act to amend chapter 95 of Wagner's Statutes, concerning merchants' licenses, by adding a new section, providing for the equalization of the same, beg leave to report that they have considered the same and recommend that it be referred to the Committee on Ways and Means; which was read.

House bill No. 178 was taken up, and, on motion, referred to the Committee on Ways and Means.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

Senate Joint and concurrent resolution No. 21; was taken up, and, on motion, laid over for a third reading.

Mr. McDaniel, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 203, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20, 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 203 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hale, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Warren, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—102.

NOES—Messrs. Booth, Manistre and Pehle—3.

ABSENT—Messrs. Berryman, Boulware, Brady, Cock, Craig, Dale, Davis, Gwynne, Hall, Haynes, Harrington, Knight, Miles, Moler, Mott, McCormick of St. Louis city, Organ, Reynolds, Souder, Smith of St. Louis city, Taylor, Tiernan, Waggener and Wisby—24.

ABSENT WITH LEAVE—Messrs. Carleton, Carroll, Drum, Dryden, Farr, Foster, Ham, Louthan, Patterson of Linn, Powers, Vancleve and Wells—12.

SICK—Messrs. Campbell of St. Louis city and Coleman—2.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Collins, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hale, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre,

McKil, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—110.

NOES—Mr. Manistre—1.

ABSENT—Messrs. Brady, Cock, Cook, Dale, Davis, Gwynne, Hall, Haynes, Harrington, Knight, Mott, McCormick of St. Louis city, Souder, Smith of St. Louis city and Taylor—15.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Farr, Foster, Ham, Louthan, Organ, Patterson of Linn, Powers, Vancleve, Wells and Whitaker—14.

SICK—Messrs. Campbell of St. Louis city, Coleman and Maynard—3.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Cox, from the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred House bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the remains of Thomas J. Howell, late Representative, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 584; was taken up.

Mr. Bryan offered the following amendment:

Amend by striking out the words "two hundred" in the first line of section one, and insert the words "one hundred and fifty;" which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate bill No. 68, entitled An act to revise and amend title 20, chapter 55 of the General Statutes of the State of Missouri, concerning ferries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 68; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dille, Dodson, Dougherty, Ellis, Finks, Freed, Gray, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Weygandt, Wiley, Windes, Wisby and Withers—96.

NOES—Messrs. Dade and Mr. Speaker—2.

ABSENT—Messrs. Beckner, Brady, Chenoweth, Dale, Davis, Dawson, Diercks, Ewing, Haynes, Harrington, Hynes, Kneisley, Knight, Lackland, Manistre, McCormick of Washington, McCormick of St. Louis city, McKinney, Patterson of Schuyler, Pollock, Reynolds, Souder, Smith of St. Louis city, Taylor, Warren and Younger—26.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Dryden, Farr, Foster, Greer, Ham, Louthan, Organ, Patterson of Linn, Powers, Vancleve, Wells and Whitaker—16.

SICK—Messrs. Campbell of St. Louis city, Coleman and Maynard—3.

The title of the bill was read and agreed to.

Mr. Moler moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Dade until Tuesday.

Senate bill No. 151; was taken up, and, on motion, made the special order for Thursday, April 10.

Mr. Moler, from the Committee on Agriculture, submitted the following report;

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 556, entitled An act to encourage the capture of horse and mule thieves, beg leave to report that they have considered the same, and report it back without recommendation, with the amendment attached; which was read.

House bill No. 556; was taken up, with the following amendment recommended by the Committee on Agriculture:

Amend by striking out "one hundred dollars" wherever it occurs, and inserting "fifty dollars" instead; which was read and agreed to.

On motion, the bill as amended was ordered to engrossment and printing.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report :

MR. SPEAKER : Your Committee on Internal Improvements, to whom was referred Senate bill No. 138, entitled An act directing the State board of assessment and equalization to assess, adjust and equalize the railroad property of the State of Missouri, from the first day of February, 1873, to the first of August, 1873, and to direct and enforce the collection of taxes thereon, beg leave to report that they have considered the same, without recommendation ; which was read

Senate bill No. 138 ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Craig, Crow, Crowther, Dade, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hall, Hale, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar Spring, Talbot, Tevis, Tiernan, Waggener, Warren, Whitaker, Wiley, Windes, Wisby, Withers and Younger—98.

NOES—Messrs. Cox, Davis, Hynes, Mudd of St. Louis, Turner and Mr. Speaker—6.

ABSENT—Messrs. Brady, Burford, Cowan of Christian, Creager, Dale, Diercks, Gwynne, Haynes, Harrington, Knight, Manistre, McCormick of St. Louis city, Pepper, Pollock, Price, Reynolds, Souder, Smith of St. Louis city, Swank, Taylor and Weygandt—21.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Farr, Foster, Ham, Louthan, McIntyre, Organ, Patterson of Linn, Powers, Vancleve and Wells—14.

SICK—Messrs. Campbell of St. Louis city, Coleman, Maynard and Morrison—4.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Chenoweth, Chilton, Chitwood, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan

of Holt, Craig, Crow, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hall, Hale, Hammons, Harrigan, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Spring, Talbot, Tevis, Tiernan, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—99.

NOES—Messrs. Cox, Davis, Hynes, Mudd of St. Louis, Pepper and Turner—6.

ABSENT—Messrs. Boulware, Brady, Campbell of Atchison, Cloud, Creager, Crowther, Gwynne, Haynes, Harrington, Harrison, Knight, Louthan, McCormick of St. Louis city, McGarry, Pollock, Reynolds, Souder, Smith of St. Louis city, Swank, Taylor and Waggener—21.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Farr, Foster, Ham, McIntyre, Organ, Patterson of Linn, Powers, Vancleve and Wells—13.

SICK—Messrs. Campbell of St. Louis city, Coleman, Maynard and Morrison—4.

The title of the bill was read and agreed to.

Mr. Wisby moved to reconsider the vote by which the bill passed.

Mr. Lockhart moved to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 434, entitled An act to protect shippers of fat hogs and cattle, beg leave to report that they have considered the same, and report the following substitute without recommendation; which was read.

House bill No. 434, was taken up, with the substitute recommended by the Committee on Internal Improvements.

The substitute was read.

Mr. Cowan of Holt offered the following amendment to the substitute:

Amend section 2 by striking out "six hours," and inserting "four hours;" which was read and not agreed to.

The substitute was then agreed to, and ordered engrossed and printed.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 98, entitled An act to repeal section 7 of an act entitled an act to regulate the charges and to provide for the appointment of railroad commissioners, beg leave to report that they have considered the same, without recommendation; which was read.

House bill No. 98; was taken up.

Mr. Pollard moved that the bill be laid over informally; which was not agreed to.

The question being upon the engrossment and printing of the bill,

The House refused to order the bill to engrossment and printing.

Mr. Davis introduced bill No. 638, entitled An act to appropriate money; which was read the first time and laid over.

Mr. Davis introduced bill No. 639, entitled An act granting a pension to Frederick Miller, on account of injuries received; which was read the first time and laid over.

Mr. McGarry introduced bill No. 640, entitled An act to provide for the appointment of police commissioners in certain cases; which was read the first time and laid over.

The Speaker, in pursuance of that provision of Senate bill No. 226, authorizing the appointment of a committee consisting of two Senators and two Representatives, to cancel bonds of the State declared to have been paid, appointed as said committee on the part of the House, Mr. Davis of Saline and Mr. Mahn of St. Francois.

On motion, House bill No. 511, was taken up, and made a special order for Thursday, April 10, 1879.

Mr. Younger moved to reconsider the vote by which House bill No. 431 failed to be ordered to engrossment and printing, and to have his motion entered on the journal.

Mr. Cock introduced bill No. 641, entitled An act to suspend the legal proceedings to enforce the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and to postpone the sales of real estate under judgments for taxes heretofore rendered; which was read the first time and laid over.

On motion of Mr. Bashaw, the House adjourned until Monday morning at 9 o'clock.

SEVENTY-THIRD DAY—MONDAY, April 7, 1879.

MORNING SESSION. •

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. T. W. Barrett.

The journal of Saturday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

Mr. Palmer introduced a concurrent resolution, entitled Concurrent resolution memorializing Congress for the passage of a bill graduating the price of public lands; which was read the first time and laid over.

Mr. Collins introduced a joint and concurrent resolution, entitled House and Senate joint and concurrent resolution authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the Government of the United States; which was read the first time and laid over.

Mr. Berry introduced a concurrent resolution, entitled Concurrent resolution urging Congress to pass an act to increase the volume of circulating currency (or legal tender notes), and also an act for the unlimited coinage of silver, and repeal the resumption act and the national bank act; which was read the first time and laid over.

Mr. Mott introduced bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first-class to administer, free of charge, all oaths in connection with their official duties; which was read the first time and laid over.

Mr. Cook introduced bill No. 643, entitled An act to regulate fees; which was read the first time and laid over.

Mr. Arnold introduced bill No. 644, entitled An act to establish State Lunatic Asylum No. 2 at Selma, in Jefferson county, Missouri, and to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum, approved March 28, 1872; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights and measures; which was read the first time and laid over.

Mr. Swank introduced bill No. 646, entitled An act separating the offices of sheriff and jailor, and providing for the election of a jailor in each county; which was read the first time and laid over.

Mr. Booth introduced bill No. 647, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6; which was read the first time and laid over.

Mr. Mabrey introduced bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri; which was read the first time and laid over.

Mr. Greer introduced bill No. 649, entitled An act to amend an act entitled dramshop keepers and their licenses, being chapter 48 of Wagner's Statutes; which was read the first time and laid over.

House bill No. 510, entitled An act to amend an act entitled an act to amend section 1 of chapter 96 of the General Statutes of Missouri, entitled peddlers' licenses, the same being section 1 of chapter 106 of Wagner's Statutes, approved April 12, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lesueur, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, Palmer, Pehle, Pepper, Pollock, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wiley, Withers, Younger and Mr. Speaker—90.

NOES—Messrs. Cowan of Christian, Cloud, Hale, Ingram and Whitaker—5.

ABSENT—Messrs. Alldridge, Brady, Cowan of Holt, Dale, Davis, Diercks, Dilley, Haynes, Harrington, Johnson, Lackland, Lockhart, Mudd of Lincoln, McCormick of St. Louis city, McKinney, O'Malley, Patterson of Schuyler, Pollard, Smith of Cedar, Talbot, Taylor, Tevis, Tiernan, Waggener, Weygandt, Windes and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Carleton, Carroll, Drum, Farr, Foster, Ham, Larimore, Louthan, Organ, Patterson of Linn, Powers, Saunders, Vancleve and Wells—17.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the bill was read and agreed to.

Mr. Collins moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table; which was agreed to.

Senate joint and concurrent resolution No. 21, entitled Joint and concurrent resolution concerning the revision of the statutes; was taken up.

Mr. Price offered the following amendment:

Amend by inserting the "15th of April" instead of "7th"; which was read and agreed to.

The resolution as amended was then read the third time and passed by the following vote:

AYES—Messrs. Anderson, Arnold, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Knight, Lackland, Lesueur, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Younger and Mr. Speaker—95.

NOES—Messrs. Adams, Andrews, Ballew, Cowan of Christian, Dade, Dilley, Freed, Hammons, Hynes, Lockhart, Morrison, Palmer and Withers—13.

ABSENT—Messrs. Alldridge, Beckner, Brady, Dale, Davis, Diercks, Haynes, Harrington, Kendall, Kneisley, McCormick of St. Louis city, O'Malley, Spring, Talbot, Taylor, Tevis and Wisby—17.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Farr, Ham, Larimore, Louthan, Organ, Patterson of Linn, Powers, Saunders, Vancleve and Wells—14.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the resolution was read and agreed to.

Mr. Anderson moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and refused to concur in House amendment to substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State or other persons from negotiating, transferring or hypothecating the bonds of the State School and Seminary funds, and respectfully request the House to recede therefrom; which was read.

Leave of absence was granted to Mr. Larimore for one day.

Mr. Souder was reported sick.

Senate bill No. 219, entitled An act providing for the enlargement of burial grounds, and providing the manner for the appropriation and valuation of lands taken therefor; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

Senate bill No. 193, entitled An act to supply certain courts of record, not provided for by law, with the reports of the supreme court decisions; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals, and other officers, for boarding prisoners; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Lackland, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes and Withers—106.

NOES—Mr. Mabrey—1.

ABSENT—Messrs. Alldridge, Bashaw, Brady, Dale, Davis, Haynes, Harrington, Kendall, Kneisley, McCormick of St. Louis city, O'Malley, Talbot, Taylor, Tevis, Wisby, Younger and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Berryman, Carleton, Carroll, Drum, Farr, Ham, Larimore, Louthan, McDaniel, Organ, Patterson of Linn, Powers, Saunders, Vancleve and Wells—14.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the bill was read and agreed to.

Mr. Settles moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bills Nos. 407 and 419, entitled An act to prevent swine from running at large in all counties of this State, when a majority of the legal voters, voting at any election, shall vote to restrain the same from running at large in such county; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Burrows, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Dade, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Foster, Freed, Gray, Hayes, Hammons, Harrison, Hubbard, Ingram, Kendall, Knight, Lackland, Lesueur, Lockhart, Lynn, Mackey, Manistre, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Riley, Smith of St. Louis city, Spring, Turner, Whitaker, Wiley and Withers—70.

NOES—Messrs. Beckner, Berry, Campbell of Atchison, Chenoweth, Chitwood, Coleman, Cooper, Cox, Crow, Finks, Greer, Hale, Hynes, Helm, Kneisley, Mabrey, Mahn, Miles, Morrison, McKill, Price, Ragan, Rawlings, Reynolds, Smith of Cedar, Weygandt, Windes and Younger—28.

ABSENT—Messrs. Alldridge, Arnold, Berryman, Brady, Bryan, Carleton, Davis, Drum, Dale, Gwynne, Hall, Haynes, Harrigan, Harrington, Johnson, Louthan, McCormick of St. Louis city, O'Malley, Pollock, Powers, Settles, Swank, Talbot, Taylor, Tevis, Tiernan, Waggener, Warren, Wells, Wisby and Mr. Speaker—31.

ABSENT WITH LEAVE—Messrs. Carroll, Farr, Ham, Larimore, McDaniel, Organ, Patterson of Linn, Saunders and Vancleve—9.

SICK—Messrs. Campbell of St. Louis city, Crowther, Dodson, Maynard and Souder—5.

House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith; was taken up.

Mr. Pepper moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was agreed to.

On motion, the bill was recommitted to the Committee on Criminal Jurisprudence.

Mr. Harrison called up the motion of Mr. Hayes, made on Saturday, to reconsider the vote by which House bill No. 559 was ordered to engrossment and printing.

Mr. Windes moved to lay that motion on the table; which was not agreed to.

The question recurring upon the motion to reconsider the vote by which the bill was ordered to engrossment and printing; it was not agreed to.

Mr. Davis introduced bill No. 650, entitled An act imposing a tax and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits or malt liquors within the limits of this State, in addition to the license and ad valorem tax now, or which may hereafter be required by law for State purposes; which was read the first time and laid over.

Mr. Patterson of Schuyler introduced bill No. 656, entitled An act to provide for licensing dealers in witness fees; which was read the first time and laid over.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 433, entitled An act to amend section 1 of an act entitled for the preservation of game animals and birds, and to repeal all former acts relating thereto, approved April 11, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No 433; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 563, entitled An act relating to judgments against railroad companies for damages, etc., beg leave to report that they have considered the same, and recommend that it be referred to Committee on Judiciary; which was read.

House bill No. 563; was taken up, and, on motion, referred to the Committee on Judiciary.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877, beg leave to report

that they have considered the same, and report it back with the accompanying amendments, without recommendation.

Substitute for House bill No. 388, was taken up, with amendments recommended by the Committee on Ways and Means.

Amendment No. 1—Amend twelfth subdivision of section 1, by striking out lines 44 to 49, inclusive, of printed bill, and insert in lieu thereof, the following :

Twelfth—In all counties or cities, wherein the total amount of all such taxes and licenses, levied for any one year, exceeds three hundred and fifty thousand dollars, the collector of revenue shall receive, collect and retain, as full compensation for his services for collecting all revenues and other dues, which he is authorized to collect, belonging to the State, school, county and city, the following commissions, viz :

On current and railroad tax revenue, as follows :

On all sums collected up to and including eighty per cent. of the total amount of such tax bills placed in his hands, one half of one per cent. commission.

On all sums collected over eighty per cent., and up to and including ninety-five per cent., one per cent. commission.

On all sums collected over ninety-five per cent., two per cent. commission.

On licenses and all other dues, except delinquent and back taxes, collected in any year, as follows : When the amount collected for the city aggregate eight hundred thousand dollars or less, two and one half per cent. commission.

On all such licenses collected for the State, three per cent. commission.

All such commissions, hereinbefore enumerated, shall be deducted and retained by such collector out of the amounts collected for State, school, county and city, respectively, and upon settlement with such collector, shall be credited to his account and charged to the respective revenue accounts.

On all back taxes and all other delinquent taxes, he shall be allowed a commission of two per cent., which shall be added to the face of the tax bills, and be collected from the party paying said taxes, a penalty in the same manner as other penalties are collected and enforced.

The said collector shall pay all the salaries and other expenses of his office, and all other cost of collecting the respective revenues ; provided, that the municipal authorities of such cities may limit the maximum number of, and maximum salaries to be paid to all em-

ployes of the collector, and may otherwise reasonably limit the expenditures of his office, and the cost of collecting the revenue.

The collector shall make settlement, annually, on the first Monday of March, and at the expiration of his term of office, with the proper officer of the city, for all commissions retained; and all commissions hereinbefore allowed, shall be computed for the year, or part of year next preceding the dates of such settlements; said collector shall present for allowance, proper vouchers for all disbursements made by him, on account of salaries and expenses of his office, and other costs of collecting the revenues, which shall be allowed to him as against the commission retained by him, and out of the residue of such commission in his hands; after deducting the amount of such vouchers allowed, he shall be allowed and authorized to retain, so far as the said residue of such commissions in his hands will permit, a compensation at the rate of ten thousand dollars per annum.

Should such residue of commission be less than sufficient to cover the above compensation, then the entire residue shall be allowed to him, and shall be in full payment for all his services; if, however, such residue is more than sufficient to cover such compensation, then the surplus shall be paid over to the State, school, county and city, in proportion, as the amount collected from each bears to the total amount of collection;

Provided, that this act shall not be construed as repealing the law requiring the collector to deposit, daily, in the city treasury, all moneys collected for the city, or the law requiring him to deposit, weekly, with the State Treasurer, all revenue collected for the State.

Collectors of revenue under this subdivision shall keep at all times in their office a notary public, who shall administer oaths, and take notarial acknowledgments in connection with such office, without charge.

All fees, commissions or other compensations heretofore charged, received or allowed by, or to any such collector as compensation for his services, whether under or by virtue of State law or not, are hereby abolished, and such collector, and all his deputies and employes are hereby forbidden, under penalty of forfeiture of office, to collect, charge, or receive, directly, or indirectly, any fees or commissions in the nature of compensation, or other compensation, other than those allowed and authorized by this act; which was read and agreed to.

Amendment No. 2—Amend further by inserting the word “thirteenth” in lieu of “twelfth,” before the said subdivision as amended; which was read and agreed to.

Amendment No. 3—Amend subdivision “thirteenth” at end of line 56 as shown by printed bill, by adding the words “except as provided by subdivision twelfth herein;” which was read and agreed to.

Amendment No. 4—Amend in line 58 of printed bill, after word “dollars,” by inserting “except as provided in subdivision twelfth;” which was read and agreed to.

Amendment No. 5—Amend by adding a new section to be known as section No. 3. “Section 3. All acts and parts of acts, inconsistent or in conflict with this act, are hereby repealed; which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: Your Joint Committee on Revision, to whom was referred House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto, relating to juries, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

House bill No. 323 was taken up with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—Amend section 10 by striking out the word “eighteen,” in line 22, and inserting in lieu thereof the word “twenty-four;” which was read and agreed to.

Amendment No. 2—Amend section 11 by striking out the last four lines of the section; which was read and agreed to.

Amendment No. 3—Amend section 13 by inserting between the words “panel,” in line 14, and “the,” in line 15, the words “or in case any jurors shall fail to attend at the time required; which was read and agreed to.

Amendment No. 4—Amend by striking out section 14; which was read and agreed to.

Amendment No. 5—Amend by striking out section 21; which was read and agreed to.

Amendment No. 6—Amend by adding two new sections to be known as sections 26 and 27, and to read as follows:

SECTION 26. In all actions brought by or against any county, the inhabitants of the county so suing, or being sued, may be jurors, if otherwise competent and qualified.

SECTION 27. Either party to a cause pending in the circuit court or court of common pleas or criminal court of any county, and triable by a jury, shall be entitled, as of course, to an order for special

venire, on motion made therefor three days before that on which the case is set for trial, but the cost of such special jury shall be paid by the party so applying, irrespective of the result, unless the judge presiding at the trial shall at the close thereof, or within two days thereafter, certify that the case was one for the trial of which a special jury should have been ordered, in which case the costs of the special jury shall be taxed, as other costs, against the losing party; which was read and agreed to.

Amendment No. 7—Amend by adding a new section to be known as section 28, and to read as follows:

SECTION 28. All acts and parts of acts inconsistent with this act are hereby repealed; which was read and agreed to.

Amendment No. 8—Amend sections 15, 16, 17, 18, 19 and 20 by striking out the numbers of said sections, and inserting in lieu thereof the following as numbers of same: 14, 15, 16, 17, 18 and 19; and also amend sections 22, 23, 24, 25, 26 and 27 by striking out the numbers of said sections, and inserting in lieu thereof, the following as numbers of same: 20, 21, 22, 23, 24 and 25; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Senate substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases; was called up.

The question being upon agreeing to the pending amendment offered by Mr. Palmer,

The ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Berry, Bohannon, Bonham, Bowman, Brewer, Bryan, Campbell of Atchison, Chenoweth, Chitwood, Coleman, Cooper, Cox, Creager, Crow, Dawson, Dilley, Dryden, Foster, Freed, Greer, Hall, Hale, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Manistre, Moler, Mott, McCormick of Washington, McElvain, McGarry, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Ragan, Smith of Cedar, Smith of St. Louis city, Swank, Turner, Weygandt and Wisby—54.

NOES—Messrs. Anderson, Bashaw, Booth, Brown, Burrows, Chilton, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Dade, Davis, Diercks, Dougherty, Ellis, Ewing, Finks, Hayes, Ham, Hammons, Hubbard, Hynes, Lackland, Mackey, Mahn, Morrison, Mudd of

Lincoln, McDaniel, McIntyre, McKill, Powell, Price, Rawlings, Riley, Reynolds, Settles, Spring, Waggener, Warren, Wiley, Windes, Withers and Younger—44.

ABSENT—Messrs. Alldridge, Andrews, Beckner, Boulware, Burford, Cloud, Farr, Gray, Gwynne, Haynes, Harrington, Harrigan, Knight, Miles, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Pollock, Pollard, Talbot, Taylor, Tevis, Tiernan, Whitaker and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Berryman, Brady, Carleton, Carroll, Cock, Dale, Drum, Larimore, Louthan, Organ, Patterson of Linn, Powers, Saunders, Vancleve and Wells—15.

SICK—Messrs. Campbell of St. Louis city, Crowther, Dodson, Maynard and Souder—5.

Mr. McDaniel offered the following amendment:

Amend section 21 by adding the following thereto: "Fifth: Any action, local or transitory, in which any county shall be plaintiff, may be commenced and prosecuted to final judgment in the county in which the defendant or defendants reside, or in the county suing, and where the defendants or one of them may be found;" which was read.

Mr. Dryden moved that the bill, and pending amendment, be re-committed to the Joint Committee on Revision; which was agreed to.

Leave of absence was granted the Committee on Penitentiary for the afternoon.

Senate bill No. 277, entitled An act to provide for the organization and government of the Missouri militia, and to repeal all other acts and parts of acts inconsistent with this act; was called up, read the first time and laid over.

Senate substitute No. 7 for Senate bill No. 52, entitled An act to revise and amend chapter 139 of the General Statutes of the State of Missouri, concerning attorneys-at-law; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 15 for Senate bill No. 52, entitled An act to revise and amend chapter 147 of the General Statutes of the State of Missouri, concerning damages and contributions in actions of tort; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 16 for Senate bill No. 52, entitled An act to revise and amend chapter 148 of the General Statutes of the State of Missouri, concerning set offs; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 17 for Senate bill No. 52, entitled An act to revise and amend chapter 149 of the General Statutes of the State of

Missouri, concerning actions by United States collectors of revenue; was called, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 19 for Senate bill No. 52, entitled An act to revise and amend chapter 151 of the General Statutes of the State of Missouri, concerning ejectments; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 1 for Senate bill No. 82, entitled An act to revise and amend chapter 100 of the General Statutes of Missouri, concerning weights and measures; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

Senate substitute No. 2 for Senate bill No. 82, entitled An act to revise and amend chapter 91 of the General Statutes of the State of Missouri, concerning letters of attorney; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 3 for Senate bill No. 82, entitled An act to revise and amend chapter 99 of the General Statutes of the State of Missouri, concerning inn-keepers and their responsibility to their guests; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 5 for Senate bill No. 82, entitled An act to revise and amend chapter 102 of the General Statutes of the State of Missouri, concerning mills and millers; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

Senate substitute No. 6 for Senate bill No. 82, entitled An act to revise and amend chapter 87 of the General Statutes of the State of Missouri, concerning contracts and promises; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State, for which no appropriation has hitherto been made; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 253, entitled An act to amend section 2 of an act entitled an act to provide for a branch recorder's office in Jackson county, Missouri, approved March 22, 1873; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 640, entitled An act to provide for the appointment of police commissioners in certain cases; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

On motion of Mr. Settles, the House took a recess until 2 $\frac{1}{2}$ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

Mr. Foster introduced House bill No. 652, entitled An act commuting the time of imprisonment of persons confined in the county jails, under sentence therein; which was read the first time and laid over.

Leave of absence was granted Mr. Brady for one day.

Leave of absence was granted the special committee appointed to visit various sections with the view of locating Lunatic Asylum No. 2, until to-morrow morning.

Leave of absence was granted Mr. Cock for four days.

Mr. Hall introduced House bill No. 653, entitled An act to amend section 11 of an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, and to add an additional section thereto, to be known and numbered as section 22; which was read the first time and laid over.

Mr. Ragan, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred House bill No. 615, entitled An act to admit Henry K. Legg, of Barry county, to the practice of medicine and surgery in this State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 615 was taken up, and, on motion, ordered engrossed and printed.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 184, entitled An act to repeal an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30, 1874; also, Senate bill No. 268, entitled An act to amend sections 10 and 13 of an act to amend an act entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9,

10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of an act entitled an act to provide for the assessment of railroad property, and the collection of taxes thereon, approved March 24, 1873, approved March 15, 1875, in which the concurrence of the House is respectfully requested: which was read.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report:

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred House bill No. 616, entitled An act to authorize elections for the purpose of changing and defining boundary lines between counties, beg leave to report they have considered the same, and report it back without recommendation; which was read.

House bill No. 616 was taken up, and, on motion, ordered engrossed and printed.

Mr. Cowan of Holt, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 608, entitled An act in relation to the title to certain school lands in township 45, north range 7, east of fifth principal meridian, beg leave to report that they have considered the same, and report that it be referred to Committee on St. Louis Delegation; which was read.

House bill No. 608 was taken up, and, on motion, referred to St. Louis Delegation.

Senate substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Lockhart, Lynn, Mabrey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Warren, Weygandt, Wiley, Wisby, Withers, Younger and Mr. Speaker—95.

NOES—Mr. Dade—1.

ABSENT—Messrs. Beckner, Burford, Chilton, Davis, Gray, Haynes, Harrington, Kendall, Mott, McCormick of St. Louis city, O'Malley, Phelan, Pollock, Swank, Tevis, Waggener, Whitaker and Windes—18.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Brady, Carleton, Carroll, Cock, Cox, Dale, Drum, Dryden, Ham, Harrison, Larimore, Lesueur, Louthan, Mackey, McDaniel, McIntyre, Organ, Patterson of Linn, Powers, Saunders, Settles, Vancleve and Wells—25.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 428, entitled An act to protect contractors and labors on their claims against persons, railroad companies or corporations, contractors or sub-contractors, for wages due or services performed by them, beg leave to report that they have considered the same, and recommend that it be referred to Committee on Revision; which was read.

House bill No. 428; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Bowman, from the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred House bill No. 598, entitled An act to provide for the protection of coal miners, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 598; was taken up, and, on motion, ordered engrossed and printed.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 350; was taken up.

Mr. Hynes offered the following amendment:

Amend by inserting after the word "any," and before the word money," in line two, section 1, the following words: "general revenue;" which was read and agreed to.

Mr. Bowman offered the following amendment:

Amend by making the legal rate of interest 3.65-100 per cent., instead of two per cent.; which was read and not agreed to.

Mr. Davis moved to lay the bill on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Arnold, Bashaw, Berryman, Booth, Brewer, Brown, Bryan, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Collins, Craig, Crow, Davis, Dawson, Diercks, Dilley, Dougherty, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hale, Hammons, Harrigan, Hubbard, Helm, Kendall, Kneisley, Lackland, Lynn, Mabrey, Mahn, Moler, Morrison, Patterson of Schuyler, Phelan, Price, Ragan, Settles, Smith of St. Louis city, Swank, Taylor, Tiernan, Turner, Vancleve, Waggener, Weygandt, Wiley and Wisby—54.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Burford, Burrows, Cloud, Cook, Cooper, Cowan of Christian, Cowan of Holt, Creager, Crowther, Dade, Ellis, Freed, Gray, Hayes, Hall, Harrison, Hynes, Ingram, Johnson, Knight, Lockhart, Manistre, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Palmer, Pehle, Pepper, Pollard, Powell, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Talbot, Warren, Whitaker, Withers, Younger and Mr. Speaker—56.

ABSENT—Messrs. Campbell of Atchison, Cox, Haynes, Harrington, Lesueur, Mackey, Mott, McCormick of St. Louis city, O'Malley, Pollock, Tevis and Windes—12.

ABSENT WITH LEAVE—Messrs. Anderson, Brady, Carleton, Cock, Dale, Drum, Dryden, Ham, Larimore, Louthan, McDaniel, McIntyre, Organ, Patterson of Linn, Powers, Saunders and Wells—17.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

Mr. Dawson offered the following amendment:

Amend by striking out section 1 of the bill; which was read and not agreed to.

Mr. Bonham offered the following amendment:

Amend by striking out "two per cent." and insert in lieu thereof "five per cent.;" which was read and not agreed to.

Mr. Riley offered the following amendment:

Amend, in line 3, section 2, after the word "shall," as follows: "when the bonds issued by virtue of an act approved April 23, 1877,

shall have been paid by the State;" which was read and not agreed to.

Mr. Davis offered the following amendment:

Strike out the enacting clause; which was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Arnold, Bashaw, Berryman, Booth, Brewer, Brown, Bryan, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cowan of Holt, Craig, Crow, Davis, Dawson, Diercks, Dilley, Dougherty, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hale, Hammons, Helm, Kendall, Kneisley, Lackland, Lockhart, Lynn, Mahn, Moler, Morrison, Patterson of Schuyler, Pehle, Phelan, Price, Ragan, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Turner, Waggener, Weygandt and Wisby—53.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Burford, Burrows, Cloud, Cook, Cooper, Cowan of Christian, Creager, Crowther, Dade, Ellis, Freed, Gray, Hall, Harrigan, Harrison, Hynes, Ingram, Johnson, Knight, Manistre, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Palmer, Pepper, Pollard, Powell, Rawlings, Riley, Reynolds, Spring, Talbot, Warren, Whitaker, Windes, Withers, Younger and Mr. Speaker—52.

ABSENT—Messrs. Bowman, Campbell of Atchison, Cox, Haynes, Harrington, Hubbard, Lesueur, Mabrey, Mackey, Mott, McCormick of St. Louis city, O'Malley, Pollock, Tevis, Tiernan, Vancleve and Wiley—17.

ABSENT WITH LEAVE—Messrs. Anderson, Brady, Carleton, Cock, Dale, Drum, Dryden, Ham, Larimore, Louthan, McDaniel, McIntyre, Organ, Patterson of Linn, Powers, Saunders and Wells—17.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitutes Nos. 8 and 11 for Senate bills Nos. 82, entitled An act to revise and amend chapters 86 and 92 of the General Statutes, concerning bills of exchange and negotiable promissory notes, and sureties and their discharge;

Also substitute No. 8 for Senate bill No. 52, entitled An act to revise and amend chapter 140 of the General Statutes of Missouri, con-

cerning risks and process, in which the concurrence of the House is respectfully requested; which was read.

Mr. Dawson laid before the House the following communication from the State Treasurer:

OFFICE OF STATE TREASURER, }
JEFFERSON CITY, March 31, 1879. }

To the Honorable House of Representatives:

In response to your resolution adopted this day, asking for a statement of the State revenue fund in the Treasury at the time of the failure of the Mastin Bank, and whether or not any moneys belonging to said fund is now tied up in said bank, I will state that at the time of the suspension of said bank, there was in the Treasury, to the credit of the revenue fund, \$8,790.29. At this time there is no money belonging to the State revenue fund tied up in the Mastin Bank.

Very respectfully,

ELIJAH GATES,
State Treasurer.

Which was read.

House bill No. 629, entitled An act to define a rule for computing life interests in estates; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of 1865, permitting sales of real estate in cities of 100,000 inhabitants, at an established real estate exchange, or at the court house, as the officer in charge may order; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 631, entitled An act to amend section 31 of chapter 38 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 632, entitled An act to amend section 27 of chapter 13 of the General Statutes of the State of Missouri, being of the collection of the revenue and miscellaneous provisions; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 633, entitled An act to amend section 42, chapter 160 of the General Statutes of Missouri of 1865, in relation to sales of real estate in cities of 100,000 inhabitants, etc.; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 634, entitled An act to establish State Lunatic Asylum No. 2, near Lexington, Lafayette county, Missouri; was called

up, read the second time; and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 635, entitled An act to regulate the sale of intoxicating liquors; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 636, entitled An act to amend an act entitled an act to amend sections 18 and 26, chapter 189, General Statutes of Missouri, entitled of landlords and tenants; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 637, entitled An act to amend section 7 of article 1 of chapter 76 of Wagner's Statutes, entitled insurance department; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 638, entitled An act to appropriate money; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 639, entitled An act granting a pension to Frederick Miller, on account of injuries received; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 641, entitled An act to suspend legal proceedings to enforce the collection of delinquent taxes and taxes due on real estate forfeited to the State, and to postpone the sales of real estate under judgment for taxes heretofore rendered; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House joint and concurrent resolution No. 47, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their utmost exertion to prevent the further refunding of the five-twenty currency bonds into four per cent coin bonds; was called up, read the second time, and on motion, referred to the Committee on Federal Relations.

On motion of Mr. Dawson, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-FOURTH DAY—TUESDAY, April 8, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the Rev. Mr. Barrett.

The journal of yesterday was being read, when

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Smith of St. Louis, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 444, entitled An act to provide for the government of the State penitentiary, and the appointment of officers therefor, and defining their duties, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis City, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 176, entitled An act to amend section 28 of chapter 206 of the General Statutes of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 477, entitled An act to repeal section 5 of chapter 6, of Wagner's Missouri Statutes, entitled animals, restraint of stallions, rams, bulls, boars, and diseased animals, and renumbering other sections of said chapter, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 533, entitled An act to provide for the transferring of records of swamp land patents from the office of the clerk of county court to the office of the clerk of the circuit court, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Farr presented a petition from citizens of Johnson county, praying the Legislature to pass a law to remove convicts from their county; which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Farr presented a petition from citizens of Johnson county, praying that the Legislature will not prevent the working of prisoners sentenced to the penitentiary from working outside of Cole county; which was read, and, on motion, referred to the Committee on Penitentiary.

Mr. Cook presented a petition from citizens of Clinton county, praying the Legislature to take such action as may be necessary to submit to the voters of the State an amendment to the constitution of the State prohibiting the manufacture and sale of intoxicating liquors within the State, and to so legislate at once as to restrain its sale by drug stores; which was read for information.

Mr. Brown presented a petition from citizens of Ralls county, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. McKill offered the following resolution:

WHEREAS, There are many doubts as to the validity of the law enacted April 12, 1877, for the collection of delinquent taxes; and

WHEREAS, There is a case now pending before the Supreme Court of the State of Missouri, from Barry county, arising under that law, the decision of which will set at rest all doubts in the matter; and

WHEREAS, There is a necessity that this question be settled before the adjournment of the present session of the Legislature, to the end that further legislation may be had, if necessary; therefore, be it

Resolved, That the Supreme Court be and is hereby respectfully requested to render their opinion of the said case at their earliest possible convenience; which was read and adopted.

Mr. Farr introduced a bill entitled An act to repeal sections 47, 48, 49, 50, 51, 52, 54, 55, 56 and 57 of chapter 2 of the Revised Statutes of 1865, and to provide for determining contested elections; which was read the first time and laid over.

Mr. McGarry introduced bill No. 655, entitled An act to regulate the maximum amount of fees to be retained by clerks of circuit courts in all counties and cities, not within the limits of a county having a population of three hundred thousand inhabitants or more, approved April 28, 1877; which was read the first time and laid over.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate bill No. 234, entitled An act to regulate the building of barbed wire fence, beg leave to report that they have considered the same, and report the following substitute and recommend that it do pass; which was read.

Senate bill No. 234, was taken up, with the substitute recommended by the Committee on Agriculture.

The substitute was read and not agreed to.

On motion, the bill was laid on the table.

Mr. Burrows, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred substitute for House bill No. 80, entitled An act to provide for the registering and licensing of dogs and to protect and encourage sheep husbandry, beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass; which was read.

Substitute for House bill No. 80; was taken up.

Mr. Dawson moved to lay the substitute on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Crow, Dale, Davis, Dawson, Ellis, Farr, Foster, Freed, Gray, Greer, Hayes, Hale, Hammons, Hubbard, Hynes, Helm, Johnson, Kneisley, Larimore, Lockhart, Mabrey, Mahn, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McKill, Palmer, Pehle, Pollock, Price, Rawlings, Reynolds, Settles, Swank, Turner, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—72.

NOES—Messrs. Anderson, Andrews, Boulware, Burrows, Cloud, Cowan of Holt, Craig, Creager, Crowther, Dade, Dilley, Dougherty, Dryden, Ewing, Harrigan, Harrington, Harrison, Ingram, Knight, Lackland, Lesueur, Lynn, Mackey, Manistre, Moler, Mott, Mudd of St. Louis, McElvain, McKinney, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Riley, Smith of Cedar, Smith of St. Louis city, Talbot and Mr. Speaker—39.

ABSENT—Messrs. Brady, Diercks, Finks, Gwynne, Hall, Haynes, Kendall, Louthan, O'Malley, Ragan, Spring, Taylor, Tevis, Tiernan, Vancleve, Waggener, Warren and Younger—18.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Ham, McIntyre, Organ, Patterson of Linn, Powers, Saunders and Wells—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

Mr. Mabrey, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 11 for Senate bill No. 52, entitled An act to revise and amend chapter 143 of the General Statutes of the State of Missouri, concerning evidence, statutes, public records and documents, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 11 for Senate bill No. 52, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Dawson, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Price, Rawlings, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Taylor, Turner, Weygandt, Wiley, Wisby and Withers—98.

NOES—Messrs. Alldridge, Beckner, Dade, Ingram, Pepper and Mr. Speaker—6.

ABSENT—Messrs. Brady, Cox, Davis, Diercks, Foster, Hall, Haynes, Harrigan, Harrington, Kneisley, Manistre, Miles, Morrison, Mudd of St. Louis, O'Malley, Ragan, Riley, Reynolds, Spring, Tevis, Tiernan, Vancleve, Waggener, Warren, Whitaker, Windes and Younger—27.

ABSENT WITH LEAVE—Messrs. Carleton, Drum, Ham, McDaniel, Organ, Patterson of Linn, Powers and Wells—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the bill was read and agreed to.

Mr. Mabrey moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Gray, Hayes, Hale, Hammons, Harrington, Harrison, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Price, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Waggener, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—93.

NOES—Messrs. Arnold, Berryman, Burford, Chitwood, Davis, Dawson, Dilley, Ellis, Freed, Greer, Gwynne, Harrigan, Hubbard, Hynes, Helm, Kendall, Miles, Moler, Pollock, Pollard, Ragan, Swank and Turner—23.

ABSENT—Messrs. Coleman, Cox, Piercks, Hall, Haynes, Knight, Lackland, Saunders, Talbot, Tevis, Tiernan, Vancleve, Warren and Younger—14.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Ham, Organ, Patterson of Linn, Powers and Wells—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Gray, Hayes, Hale, Hammons, Harrigan, Harrington, Harrison, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Man-

istre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Waggener, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—97.

NOES—Messrs. Anderson, Arnold, Ballew, Berryman, Burford, Chitwood, Davis, Dawson, Dilley, Ellis, Freed, Greer, Gwynne, Hubbard, Hynes, Helm, Kendall, Mabrey, Ragan, Swank and Wisby—21.

ABSENT—Messrs. Cowan of Holt, Diercks, Hall, Haynes, Miles, Pollard, Talbot, Tevis, Tiernan, Turner, Vancleve, Warren and Younger—13.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Ham, Organ, Patterson of Linn, Powers and Wells—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the bill was read and agreed to.

Mr. Vancleve rose to a question of privilege, and stated that had he been present when the vote was taken on the passage of House bill No. 444, he would have voted for the bill.

Mr. Lesueur moved to reconsider the vote by which House bill No. 444 passed.

Mr. Farr moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Gray, Hayes, Hale, Hammons, Harrigan, Harrington, Harrison, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Taylor, Turner, Vancleve, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—93.

NOES—Messrs. Anderson, Arnold, Berryman, Burford, Chitwood, Davis, Dawson, Dilley, Ellis, Freed, Greer, Hubbard, Hynes, Helm, Kendall, Knight, Pollock, Pollard, Swank and Wisby—20.

ABSENT—Messrs. Chenoweth, Diercks, Gwynne, Hall, Haynes, Miles, Moler, Mudd of St. Louis, Rawlings, Saunders, Smith of Cedar, Talbot, Tevis, Tiernan, Waggener, Warren and Younger—17.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn, Powers and Wells—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

Senate bill No. 203, entitled An act to repeal an act entitled an act in relation to judicial sales in St. Louis county, approved February 20th, 1865; was taken up, read at length by the Clerk and signed by the Speaker, without objections.

Senate bill No. 138, entitled An act directing the State board of assessment and equalization, to assess, adjust and equalize the railroad property of the State of Missouri, from the first day of February, 1873, to the 1st of August, 1873, and to direct and enforce the collection of taxes thereon; was taken up, read at length by the Clerk and signed by the Speaker, without objections.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 19, submitting to the legal voters of the State of Missouri, an amendment to the State Constitution in relation to the prohibition of the manufacture and sale of intoxicating liquors, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 36, concerning the improvement of the Mississippi river to the capacity of ocean ship navigation, reclamation of lands, and Florida canal, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 534, entitled An act to authorize county courts to correct land entries, patents and records, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 576, entitled An act to prohibit the discharge of fire-arms in the immediate vicinity of any court house, church, or building used for school or college purposes, beg leave to report that they have examined the same, and find it truly engrossed and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 513, entitled An act to require the Governor to appoint committees of the General Assembly to examine the State institutions beg leave to report that they have considered the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 489, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, acts 1871-2, approved March 30, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

The special order being the consideration of Senate joint and concurrent resolution No. 4, entitled Joint and concurrent resolution re-

requesting Senators and Representatives in Congress to vote for and use all means in their representative capacity to establish an efficient and stable government in the Indian Territory; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Ballew, Berry, Bohannon, Bowman, Brady, Brown, Bryan, Burrows, Carroll, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Craig, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hammons, Harrigan, Harrington, Harrison, Hubbard, Johnson, Kendall, Knight, Lesueur, Louthan, Mackey, Mahn, Moler, Mudd of Lincoln, Mudd of St. Louis, McGarry, McIntyre, McKill, O'Malley, Pepper, Phelan, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Spring, Talbot, Taylor, Turner, Vancleve, Waggener, Weygandt, Wiley, Wisby, and Withers—73.

NOES—Messrs. Alldridge, Anderson, Arnold, Bashaw, Beckner, Berryman, Bonham, Booth, Boulware, Brewer, Burford, Chitwood, Cooper, Cowan of Christian, Cox, Creager, Dale, Dougherty, Dryden, Ellis, Ewing, Hale, Hynes, Helm, Ingram, Kneisley, Lackland, Larimore, Lockhart, Lynn, Mabrey, Manistre, Miles, Morrison, Mott, McCormick of Washington, McElvain, McKinney, Palmer, Patterson of Schuyler, Pehle, Powell, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Whitaker and Windes—48.

ABSENT—Messrs. Campbell of Atchison, Hall, Haynes, McCormick of St. Louis city, Tevis, Tiernan, Warren, Younger and Mr. Speaker—9.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn, Powers and Wells—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard and Souder—4.

The title of the resolution was read and agreed to.

Mr. Collins moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made, beg leave to report that they have considered the same, and report it back, without recommendation; which was read.

Senate bill No. 194 was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Arnold, Bashaw, Berryman, Booth, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Hammons, Harrigan, Hubbard, Hynes, Helm, Lackland, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Phelan, Pollard, Price, Ragan, Riley, Saunders, Smith of St. Louis city, Taylor, Vancleve, Waggener, Weygandt, Wiley, Wisby and Mr. Speaker—76.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Cooper, Cowan of Christian, Craig, Creager, Dade, Dale, Gray, Greer, Harrison, Ingram, Johnson, Knight, Lockhart, Lynn, Miles, Mudd of St. Louis, McElvain, McKinney, Pehle, Pepper, Powell, Rawlings, Smith of Cedar, Spring, Talbot, Turner, Whitaker and Withers—40.

ABSENT—Messrs. Hall, Haynes, Harrington, Kendall, Kneisley, Mudd of Lincoln, Pollock, Reynolds, Settles, Swank, Tevis, Tiernan, Windes and Younger—14.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Ham, Organ, Patterson, Powers and Wells—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Mr. Lackland moved to reconsider the vote by which the House refused to order House bill No. 98 to engrossment and printing, and to have his motion entered on the journal.

House bill No. 391, entitled An act in relation to pawn brokers, was called up, read the third time and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Hayes, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm,

Ingram, Johnson, Kniesley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of Louis city, McElvain, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pollard, Powell, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Taylor, Turner, Waggener, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—91.

NOES—Messrs. Burford, Hynes, Lackland and Mabrey—4.

ABSENT—Messrs. Adams, Andrews, Arnold, Ballew, Boulware, Collins, Cowan of Holt, Dade, Dawson, Diercks, Greer, Gwynne, Hall, Haynes, Kendall, Miles, Moler, Mott, O'Malley, Pepper, Phelan, Pollock, Price, Ragan, Settles, Spring, Tevis, Tiernan, Vancleve, Windes, Wisby and Younger—32.

ABSENT WITH LEAVE—Messrs. Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—11.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Brady moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Warren was reported sick.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 612, entitled An act to repeal section 4 of an act entitled an act to amend section 42 of chapter 136 of General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the 16th judicial circuit, approved March 22, 1870, same being section 44 of article 4 of chapter 41 of Wagner's statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the 16th judicial circuit, approved March 17, 1871, beg leave to report that they have considered the same, and recommend that it do pass with amendment herewith submitted; which was read.

House bill No. 612 was taken up with the following amendment recommended by the Committee on Judiciary:

Amend by striking out the words "section four of" in the first line of section 1; which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 621, entitled An act to prescribe and regulate the duties of the circuit attorney of the 8th judicial circuit, and the prosecuting attorneys of the counties of Lincoln, Warren and St. Charles, beg leave to report that they have considered the same and recommend that the substitute herewith submitted do pass: which was read.

House bill No. 621 was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read.

Mr. Pepper offered the following amendment to the substitute:

Amend section 1, line 13, by inserting the word "attorney" after the word "prosecuting;" which was read and agreed to.

Mr. Pepper offered the following amendment to the substitute:

Amend section 1, line 13, by inserting after the word "or" the words "in the city or county of said;" which was read and agreed to.

The substitute as amended was then agreed to, and, on motion, ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 626, entitled An act to amend an act to abolish the office of circuit and county attorneys, and to provide for the election of prosecuting attorney by adding a new section thereto, to be designated as section six, beg leave to report that they have considered the same, and recommend that it do pass with amendment herewith submitted; which was read.

House bill No. 626 was taken up with the following amendment recommended by the Committee on Judiciary:

Amend by striking out the word "six" after the word "section," in the sixth line of section 1, and insert in lieu thereof the word "five;" which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 610, entitled An act to amend chapter 212 of the General Statutes, entitled of proceedings before trial, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 610 was taken up.

The question being, "shall the bill be ordered engrossed and printed?"

Pending the consideration of which,

On motion of Mr. Wisby, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

The House resumed the consideration of House bill No. 610, pending at the hour of recess.

The question being upon the engrossment and printing of the bill, the House refused to order the bill to engrossment and printing.

Mr. Booth moved to reconsider the vote by which the House refused to order the bill to engrossment and printing, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McKinney introduced bill No. 656, entitled An act to authorize the sale of property, real and personal, escheated to the State; which was read the first time and laid over.

House concurrent resolution No. 19, entitled House concurrent resolution, submitting to the legal voters of the State of Missouri, an amendment to the State Constitution, in relation to the prohibition of the manufacture and sale of intoxicating liquors; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Carroll, Chenoweth, Chilton, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring,

Swank, Talbot, Taylor, Turner, Waggener, Whitaker, Windes, Wisby and Withers—83.

NOES—Messrs. Booth, Brady, Cooper, Cox, Crowther, Diercks, Foster, Gwynne, Hayes, Hale, Harrigan, Kendall, Kneisley, Lackland, Louthan, Manistre, Moler, Mott, McCormick of St. Louis city, McGarry, Phelan, Saunders, Weygandt and Wiley—24.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Arnold, Campbell of Atchison, Chitwood, Cloud, Davis, Dawson, Dilley, Hall, Haynes, Lesueur, O'Malley, Pollock, Rawlings, Settles, Tevis, Tiernan, Vancleve and Younger—18.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the resolution was read and agreed to.

Mr. Collins moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House joint and concurrent resolution No. 41, entitled Joint and concurrent resolution, concerning certain lands in the State of Missouri; which was read.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, O'Malley, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis

city, Spring, Swank, Talbot, Taylor, Turner, Waggener, Weygandt, Wiley, Wisby and Withers—99.

NOES—Messrs. Bowman, Dade, Ingram, Windes and Mr. Speaker—5.

ABSENT—Messrs. Arnold, Campbell of Atchison, Cloud, Davis, Dawson, Dilley, Dougherty, Hall, Haynes, Harrigan, Kneisley, Lesueur, McGarry, Palmer, Pepper, Rawlings, Settles, Tevis, Tiernan, Vancleve, Whitaker and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Windes introduced bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor; which was read the first time and laid over.

Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112, of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto, new sections numbered 42, 43, 44, 45 and 46; was taken up.

Mr. Saunders offered the following amendment:

Amend by adding after the word, "provided," in line 18, section 5, the following: "Provided further, that the assignee, before procuring said order, shall give notice of his application therefor in the manner provided in section 44 of this act;" which was read and agreed to.

The bill as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carroll, Chenoweth, Chitwood, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Diercks, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan,

Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Waggener, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—97.

NOES—Messrs. Cowan of Christian, Creager, Dade and Ingram—4.

ABSENT—Messrs. Arnold, Campbell of Atchison, Chilton, Cloud, Dale, Davis, Dawson, Dilley, Dougherty, Foster, Hall, Haynes, Harrigan, Johnson, Lesueur, Miles, Rawlings, Settles, Swank, Tevis, Tiernan, Vancleve, Whitaker, Windes and Younger—25.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Chenoweth, Chitwood, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Waggener, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—97.

NOES—Mr. Ingram—1.

ABSENT—Messrs. Arnold, Bashaw, Burford, Campbell of Atchison, Carroll, Chilton, Cloud, Coleman, Davis, Dawson, Dilley, Foster, Hall, Haynes, Harrigan, Lesueur, Miles, Moler, McCormick of St. Louis city, Rawlings, Settles, Swank, Tevis, Tiernan, Vancleve, Whitaker, Windes and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 501, entitled An act to repeal section 6 of chapter 3 of Wagner's Statutes, entitled advertisements; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Diercks, Dougherty, Finks, Freed, Gray, Greer, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helma, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Weygandt, Whitaker, Wiley, Wisby and Withers—86.

NOES—Messrs. Bonham, Booth, Brown, Crowther, Ellis, Ewing, Farr, Mahn, Manistre, Moler, McCormick of St. Louis city, Pehle, Talbot, Taylor and Mr. Speaker—15.

ABSENT—Messrs. Arnold, Campbell of Atchison, Carroll, Cloud, Davis, Dawson, Dilley, Foster, Gwynne, Hall, Haynes, Harrigan, Lackland, Lesueur, Pepper, Pollock, Settles, Swank, Tevis, Tiernan, Turner, Vancleve, Waggener, Windes and Younger—25.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Adams moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 576, entitled An act to prohibit the discharge of fire arms in the immediate vicinity of any court house, church or building used for school or college purposes; was called up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Chenoweth, Chilton, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Gray,

Greer, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Larimore, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—87.

NOES—Messrs. Dale, Freed, Hayes, Mabrey, McKill and Wisby—6.

ABSENT—Messrs. Arnold, Ballew, Bashaw, Bohannon, Campbell of Atchison, Carroll, Chitwood, Cloud, Collins, Cox, Davis, Dawson, Dilley, Foster, Gwynne, Hall, Haynes, Harrigan, Ingram, Lackland, Lesueur, Moler, McCormick of St. Louis city, Pepper, Pollock, Settles, Smith of St. Louis city, Tevis, Tiernan, Vancleve, Waggener, Windes and Younger—33.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lockhart moved to reconsider the vote by which House refused to order House bill No. 497 to engrossment and printing, and to have his motion entered on the journal.

Substitute for House bills Nos. 130, 116, 172 and 167, entitled An act to regulate the compensation of members of the General Assembly and their officers and employes; was called up with the Senate amendments thereto.

The question being upon concurring in Senate amendments,

Mr. Kneisley moved that the bill and amendments be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Arnold, Bashaw, Berryman, Bohannon, Booth, Brady, Brewer, Bryan, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Diercks, Dougherty, Ellis, Farr, Freed, Greer, Gwynne, Hayes, Hammons, Harrington, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lesueur, Lynn, Mabrey, Manistre, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McKill, Phelan,

Pollard, Price, Ragan, Rawlings, Riley, Saunders, Swank, Taylor, Waggener, Weygandt, Wiley and Mr. Speaker—60.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bonham, Boulware, Bowman, Brown, Burford, Burrows, Cook, Cowan of Christian, Crowther, Dade, Dale, Ewing, Gray, Harrison, Ingram, Knight, Larimore, Lockhart, Louthan, Mackey, Mahn, Mudd of Lincoln, McCormick of Washington, McElvain, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Powell, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Whitaker, Wisby and Withers—44.

ABSENT—Messrs. Campbell of Atchison, Carroll, Cloud, Davis, Dawson, Dilley, Finks, Foster, Hall, Hale, Haynes, Harrigan, Lackland, Pepper, Pollock, Settles, Smith of St. Louis city, Tevis, Tiernan, Vancleve, Windes and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Carleton, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Wells—12.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

Mr. Kneisley, from the Committee on State University, submitted the following report:

MR. SPEAKER: Your Committee on State University, to whom was referred House bill No. 617, entitled An act to employ convict labor for the purpose of clearing up and making productive the Agricultural and Mechanical College Farm belonging to the State, beg leave to report that they have considered the same, and herewith submit a substitute for said bill, and recommend that it do pass; which was read.

House bill No. 617, was taken up, with substitute recommended by the Committee on State University.

The substitute was read and agreed to, and, on motion, was ordered engrossed and printed.

On motion of Mr. McCormick of St. Louis city, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-FIFTH DAY—WEDNESDAY, April 9, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. Mr. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Berryman, the further reading was dispensed with.

Mr. Davis rose to a question of privilege, and stated that had he been present on yesterday when the vote was taken on the passage of House concurrent resolution No. 19, he would have voted for the resolution.

Mr. Bonham offered the following resolution :

Resolved, That the Committee on Constitutional Amendments report back to the House concurrent resolution No. —, to submit to a vote of the people at the general election in 1880 an amendment to the Constitution prohibiting the State Treasurer from depositing any State moneys in any bank or banks ; which was read, and, on motion, laid over informally.

Mr. Farr presented a memorial from the Lexington Presbytery of the Cumberland Presbyterian Church, now in session at Belton, Cass county, Missouri, praying the Legislature to submit to a vote of the people a constitutional amendment forever prohibiting the manufacture and sale of intoxicating liquors to be used as a beverage ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Whitaker presented petitions from citizens of Hickory county, praying the Legislature to submit to a vote of the people an amendment to the Constitution of the State entirely prohibiting the manufacture and sale of intoxicating drinks within the State ; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Lockhart presented petitions from citizens of Grundy county, praying the Legislature to pass an act establishing a system of township organization ; which were read, and, on motion, referred to the Committee on Township Organization.

House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first-class to administer, free of charge, all

oaths in connection with their official duties; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 643, entitled An act to regulate fees; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 644, entitled An act to establish State Lunatic Asylum No. 2 at Selma, in Jefferson county, Missouri, and to repeal an act entitled an act to establish an insane asylum in the northwest or southwest portion of the State, to be called the Northwestern or Southwestern Missouri Insane Asylum, approved March 28, 1872; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights and measures; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 646, entitled An act separating the offices of sheriff and jailer, and providing for the election of a jailer in each county; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 647, entitled An act to amend section 1 of chapter 16, of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 649, entitled An act to amend an act entitled dramshop keepers and their licenses, being chapter 48 of Wagner's Statutes; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 650, entitled An act imposing a tax and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits or malt liquors, within the limits of this State, in addition to the license and an ad valorem tax now, or which may hereafter be required by law for State purposes; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 651, entitled An act to provide for licensing dealers in witness fees; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 652, entitled An act commuting the time of imprisonment of persons confined in the county and city jails, under sentence therein; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 653, entitled An act to amend section 11 of an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, and to add an additional section thereto, to be known and numbered as section 22; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 654, entitled An act to repeal sections 41, 48, 49, 50, 51, 52, 54, 56 and 57 of chapter 2 of the Revised Statutes of 1865, and to provide for determining contested elections; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 655, entitled An act to repeal an act entitled an act to regulate the maximum amount of fees to be retained by clerks of circuit courts in all counties and cities not within the limits of a county, having a population of three hundred thousand inhabitants or more, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 556, entitled An act to authorize the sale of property, real and personal, escheated to the State; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House concurrent resolution No. 48, entitled Concurrent resolution memorializing Congress for the passage of a bill graduating the price of public lands; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House concurrent resolution No. 49, entitled Joint and concurrent resolution authorizing the Governor and Attorney-General to appoint an attorney to prosecute certain claims against the government of the United States; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

House concurrent resolution No. 50, entitled Concurrent resolution urging Congress to pass an act to increase the volume of circulating currency (or legal tender notes), and also an act for the unlimited coinage of silver, and to repeal the resumption act, and

national bank act; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Mr. Davis rose to a question of order, and stated that the House on yesterday inadvertently ordered to a third 'reading, and passed Senate substitute for Senate bill No. 194, when the bill had not been printed as provided in the rules of the House and in section 27 of article 4 of the Constitution.

The House thereupon declared its action on said bill to be unconstitutional and void, and authorized the Speaker and Clerk to make the necessary entries on the journal and records of the House.

On motion, Senate substitute for Senate bill No. 194 was ordered printed.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 16, entitled An act to provide a jury system in cities having over 100,000 inhabitants, and find the same truly and correctly enrolled; which was read.

House bill No. 16; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Senate bill No. 277, entitled An act to provide for the organization and government of the Missouri militia, and to repeal all other acts and parts of acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Militia.

Senate substitute No. 8 for Senate bill No. 52, entitled An act to revise and amend chapter 140 of the General Statutes of the State of Missouri, concerning writs and process; was called up and read the first time.

Senate substitute No. 8 for Senate bill No. 82, entitled An act to revise and amend chapter 92 of the General Statutes of the State of Missouri, concerning sureties and their discharge; was called up and read the first time.

Senate substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange and negotiable promissory notes; was called up and read the first time.

Senate bill No. 184, entitled An act to repeal an act entitled an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30, 1874; was called up, read the first time and laid over.

Senate bill No. 268, entitled An act to amend sections 10 and 13 of an act to amend an act entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of an act entitled an act to provide for the assessment of railroad property, and the collection of taxes thereon, approved March 24, 1873, approved March 15, 1875; was called up and read the first time.

Mr. Campbell of Atchison moved to reconsider the vote by which substitute for House bills No. 407 and 419 failed to pass on April 7; which was agreed to.

Mr. Wells moved to reconsider the vote by which substitute for House bills No. 407 and 419 was ordered to a third reading; which was agreed to.

Substitute for House bills No. 407 and 419, entitled An act to prevent swine from running at large in all counties of this State, when a majority of the legal voters, voting at any election, shall vote to restrain the same from running at large in such county; was then taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Burford, Burrows, Campbell of Atchison, Carleton; Chilton, Cloud, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Hayes, Hammons, Harrigan, Harrison, Hubbard, Ingram, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pollock, Powell, Ragan, Riley, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Waggener, Wells, Whitaker and Withers—79.

NOES—Messrs. Bowman, Bryan, Chitwood, Cooper, Creager, Greer, Hale, Helm, Mabrey, Miles, Morrison, McKill, Price, Rawlings, Smith of Cedar, Weygandt, Windes, Younger and Mr. Speaker—19.

ABSENT—Messrs. Adams, Bashaw, Beckner, Brady, Brown, Carroll, Chenoweth, Coleman, Collins, Dougherty, Gwynne, Hall, Haynes, Harrington, Hynes, Johnson, Kendall, Kneisley, Mott, Pepper, Phelan, Pollard, Reynolds, Saunders, Settles, Tevis, Tiernan, Vancleve, Wiley and Wisby—30.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Cox, from the special committee appointed to visit and examine into various locations for the re-establishment of Lunatic Asylum No. 2, submitted the following report:

MR. SPEAKER: Your Committee appointed under the resolution, a copy of which is hereto attached, and in obedience thereto, beg leave to report that they have visited the following places, to-wit: St. Joseph, Macon City, "Limerick Lawn," near Lexington, Kennett Castle, in Jefferson county, Fulton, and several sites around Jefferson City, for the purposes set forth in the resolution, and that the advantages, disadvantages and inducements offered by each place respectively, are herein set forth. Immediately after leaving Jefferson City your committee at once proceeded to St. Joseph, Buchanan county, for the reason that that city is the present location of Asylum No. 2, and that it was the scene of the disastrous conflagration which, at one and the same time, deprived the State of valuable property, and turned out on the streets, houseless and homeless, those unfortunate wards of the State, which, on account of their helplessness, she is, at all times, bound, in honor, to do her utmost to protect. Your committee found that, at the moment of the dread disaster which befell them, the warm-hearted generosity of the people of St. Joseph provided a comfortable shelter, by an offering of, and their acceptance thereof, of the court house building of Buchanan county, and in which they have still remained.

Therefore, that the General Assembly might have definite and direct knowledge of their immediate necessities, your committee has thought it best to report an account of a visit made them immediately on our arrival in St. Joseph, and the result of our observations. The building in which they are at present located, is very poorly adapted to the care and treatment of insane persons, there being an absence of adequate sewerage and other necessities. Many other deficiencies exist, which, however, is the case with all buildings not specially constructed for the purpose. The approach of warm weather demands the providing of other and more suitable quarters, at the earliest possible moment, that the physical suffering and ill-health produced by a lack of sanitary provisions, without which the health and life of the patient are constantly threatened.

Your committee made examination of the ruins of the late asylum building, and found that the foundation has been damaged to not more than one fourth; the exterior walls can be used in the new building except on two sides; the interior walls are generally good,

so far as we could see. The piping, used for gas and water purposes, are in fair condition, and the greater part thereof fit for use. The boilers are all good, and the apparatus for the manufacture of gas is in perfect order.

The sewerage, one of the most important features of a building of an eleemosynary character, where large numbers of persons are gathered under one roof, as permanent residents, is one of the most thoroughly and best constructed; and the entire work, from the ruins to the discharge-mouth, is entirely sound in every particular. The cost of building the sewer alone was \$5,000.00, or nearly so.

The supply of water is abundant in the extreme, sufficient to meet all the wants of a large institution of the kind just destroyed.

There are a number of out-buildings, such as barns, stables, ice-houses, etc., and each and all of them are in good repair; the stable particularly is large, commodious and well-arranged, having been built of good merchantable brick.

If, in the judgment of this House, the asylum should be rebuilt at this point, the upper stories can be used for barracks for convicts, in case that kind of labor is used or employed in the construction.

There are one hundred and twenty-three (123) acres of very fine land, belonging to the institution, which are now enclosed by a good plank fence; but there is a rapidly growing hedge of Osage orange, two years old, and which will, in the course of a few years more, take the place of the present fence.

The land can, in our opinion, be made to produce all of the vegetables required for the use of the Asylum; there is also an orchard of seven hundred (700) bearing fruit trees, in fair condition, sufficient to supply, at a very small cost, nearly, if not all the fruit required; the vineyard of seven acres in extent, shows very evidently the hand of care, and seems to be of a productive character. There are ten acres in the immediate vicinage of the former Asylum, finely planted in maple and other varieties of shade trees, which, in two years more of thrifty growth, will add greatly to the beauty and value of the grounds.

It was deemed proper on the part of your committee while here, to look closely into the cost of supplies at this point, and in this interest we visited a number of the leading grocers, etc., and report that general supplies, such as would be needed in an institution of this kind, can, in the opinion of your committee, be bought at this point as cheaply as at any other.

The railroad communication with the other parts of the State are extremely good.

It was ascertained that the contract entered into last year, by the superintendent for coal, for the year, was at the price of $15\frac{3}{4}$ cents per bushel, a price which was greatly in advance of any figure noted at any other place visited by your committee. In this particular, we note one of the disadvantages of St. Joseph, it being the high price of fuel.

Your committee held several advisory conversations with men qualified to give an opinion on the cost of rebuilding the Asylum No. 2 on its former site, and herewith present a general estimate, based upon personal examination as well, bearing upon that point.

To rebuild Asylum No. 2, with all the additional improvements for the convenience, health and well being of the patients and their necessary officers and attendants, complete in all its arrangements, except as to furniture, it would cost nearly, if not quite, \$65,000.

If a guarantee can be given the people of St. Joseph that the Asylum No. 2 will be rebuilt at their city, the necessary arrangements will be at once perfected, to render all the protection and care needed by the patients, until the building for their occupancy is finished.

Your committee from thence proceeded to Macon City, the county seat of Macon county. This city is situated at the junction of the Hannibal and St. Joseph and the St. Louis, Kansas City and Northern Railroads, and on the divide between the great valleys of the Missouri and Mississippi, and on account of its elevation, enjoys a degree of health vouchsafed but few localities in the State. The surrounding country is well settled by thrifty, frugal people, and the lands are in a good of cultivation. In the immediate vicinity are perhaps the largest coal fields in the State, and their product is afforded at the reasonable rate of eight cents per bushel.

The building to which the attention of your committee was directed, is known as "Johnson College," situated about three-quarters of a mile from the court house, in the northern part of the city. It is a large unfinished building of brick, situated nearly in the center of a ten acre plat of ground.

The foundation of the building is very substantially built of stone, and the superstructure, so far as finished, is well built. There is an additional building attached to the main building, which needs considerable repairs and improvements to make it habitable; the building is of three stories in height. It is proposed by the citizens of Macon City to donate this entire property to the State of Missouri, if this House deems it wise to change the location of Asylum No. 2, to the point named.

Your committee estimates the value of property, as it now stands at \$10,000, although the improvements are reported to have cost \$31,000.

In the judgment of your committee, it would cost, to finish the building and add needed improvements, to adopt it to the requirements of the objects to which the institution would be directed, an outlay of fully \$75,000. This estimate includes the cost of 100 acres of land additional to and adjoining the ten acres before mentioned. In the opinion of your committee, an institution of this kind should have not less than 100 acres of good land attached thereto.

The advantage of this location lies in the gift of the property to the State, and the cheap price of fuel; but in opposition to these advantages, the entire absence of fruit and shade trees and the lack of a sufficient supply of water, (though this may be remedied by the construction of ponds, cisterns and wells, the cost of which are included in the estimates of expenditures above named,) and other minor collateral matters present themselves.

The next place your committee visited, was the property known as "Limrick Lawn," situated about two miles from the thriving little city of Lexington, county seat of Lafayette county. Your committee was warmly welcomed, and every attention necessary for their comfort, was carefully bestowed, and it is believed that into the hands of no community in the State, could an institution of this character and magnitude be more safely entrusted; that it would be deeply appreciated, there can be no doubt, as the people are refined and cultured to a high degree, and have broad and liberal views in regard to the care and support of the unfortunate insane, which would be well to have a footing, not only throughout our State, but throughout the Union.

The property offered to the State for purchase, contains three hundred and twenty acres of very choice land, situated so as to present a view of the whole surrounding country, which is beautiful indeed.

Your committee made an examination of the building, and found that solidity and durability, combined with perfect symmetry and exact proportion, seemed to be the leading idea in its construction, the walls being built of stone, brick and cement of good quality.

We found a good gas machine and connecting pipes running throughout the building, and gas burners and brackets in all the rooms. In the basement were two furnaces, with hot air pipes leading to all parts of the house, also pipes leading from a spacious and durably built tank on the top of the house, also speaking tubes and a good system of bells.

The out buildings are a large octagon shaped brick ice house ; an octagon smoke house ; a large poultry house ; ample stabling, corn cribs, carriage house, a cottage of five rooms, a brick house of four rooms, with a large laundry attached, a large and substantially built grape arbor, and many other minor buildings, all built in a durable manner. The land we found under good plank fence, and in fair condition. There is, perhaps an hundred acres in heavy timber, about twenty acres in orchard and vineyard, and the balance in vegetable garden, and cultivating land in very fair condition.

There is a pond of good dimensions situated in the woodland, from which the supply of ice is gathered. A grove of beautiful chestnut trees attracted the attention of your committee ; and also, a grove of shade and ornamental trees immediately surrounding the house, and arranged with great taste, making this the most attractive place seen by your Committee during their peregrinations.

Your Committee are not satisfied that the water supply is now sufficient to meet the wants of an institution of the magnitude of Asylum No. 2 ; this, however, may be remedied by the construction of ponds, cisterns and wells.

The property, as offered now, would cost the State just thirty-thousand dollars.

The buildings now on the property are entirely inadequate for the use of two hundred patients and their necessary attendants, and to meet their wants, would require additional buildings, at a cost of not less than sixty thousand dollars.

The railroad communication to all parts of the State is good.

Coal is in great abundance in the vicinity, and it is claimed that the strata of coal underlies the entire tract of land upon which these buildings are situated, and can be mined by the State at a mere nominal cost.

Your Committee next proceeded by rail to St. Louis, and embarked for Selma, Jefferson county, to view the property known as Kennett Castle.

It is distant from St. Louis thirty-five miles, at a good river landing, and six miles from the Iron Mountain railroad, with which it is connected by a narrow gauge branch, running from Rock Fort station to Platin Creek.

The building is of the finest description, and is built in the most durable and substantial manner. Its dimensions are one hundred and eleven feet in length by sixty-eight feet wide, exclusive of porticos. The entire elevation is about fifty feet, and comprises two stories and a basement. At one end is a tower ninety-five feet high,

which adds greatly to the imposing, magnificent features of the architecture of the castle.

The mansion is divided into twenty-one rooms, exclusive of halls and corridors, and cellar basement. The apartments are all well ventilated. In the cellar there is a complete gas apparatus, with connecting pipes running throughout the entire establishment, with corresponding brackets and pendants in all the rooms.

The water supply is good, and may be rendered unlimited, as the Mississippi river is near by. Timber for fuel and other purposes, abounds in exhaustless quantity, and coal may be obtained from the Big Muddy mines across the river, in Illinois, at the low rate of eight cents per bushel, delivered at the landing. There is a quarry of splendid building stone on the premises, from which can be obtained all that may be needed for any desired or needed improvements. The locality is of easy access by river and railroad, and as occasion may require, supplies may be obtained from a distance with no difficulty.

The peculiar location of the celebrated castle enables one to secure a view of the great Mississippi for many miles, and it presents a constant change of aspect, which, to the diseased mind, would convey a constant mental refreshment, and a distraction from the ever recurring hallucinations which draw the mind from its delicate balance and make it what it is—an object of profound pity for its hopeless loss, a constant care for its relief, and a study which has, for centuries, puzzled the greatest thinkers of any age.

The property is offered to the State with 350 acres, a portion of which is good tillable land, for the sum of twenty-five thousand dollars, one third cash, one third in two years, and one third in four years, with interest at the rate of four per cent per annum.

It is not considered by your Committee that the buildings now erected, will by any means be sufficiently large to meet the demands required.

The purchase of this property, would, in the opinion of your Committee, necessitate the erection of additional buildings, which could not be done, and make other needed alterations to the present buildings for less than \$75,000, perhaps more.

Your Committee after the return from Kennett Castle, proceeded to the next point on their list, Fulton.

At this point your Committee was met by a delegation of the citizens of Fulton, and a number of officers of Asylum No. 1, (located at this place,) who gave a cordial welcome. We repaired to the Asylum No. 1, where we were given every facility for gaining information as to the internal working of the institution, and the divisions into

wards, etc., relating to its government, and after a careful examination, feel constrained to say that no building constructed other than for the especial purpose, can be utilized as an asylum for the insane, without material and costly alterations.

In and about these premises, your Committee found ample water facilities. The system of sewerage was as perfect as competent engineers could design and construct. The building throughout is heated by steam, and the ventilation is as good as we could wish. The system of dividing each floor into wards by means of the halls, and thus providing each ward with its own dining room, bathing rooms and water closets, and preventing an over crowding, we deem essential to good discipline and perfect comfort.

Your committee, while here, were shown plans by a resident architect for building an addition to Asylum No. 1. The plans proposed were for two wings, one on the north side and one on the south side of the present structure, each wing to be 165 feet long, 44 feet wide, four stories high, and to accommodate, when built, 338 patients.

The estimates for the new building amount, in the aggregate, to the sum of \$53,000, which your committee think remarkably low. This estimate covers every cost except for furniture. An improvised building known as the gymnasium would furnish quarters for convicts, if such labor was used.

The supply of water now at hand would be sufficient for the wants of the new wings. The engine and boilers are of sufficient capacity to furnish steam for heating and giving motive power, and the laundry and bakery will also be of sufficient capacity to meet the wants of the new additions.

From Fulton, your committee returned to Jefferson City, and, under the guidance of gentlemen interested in the location of the asylum at that point, we were shown a property located about one mile from the Capitol, consisting of sixty acres of fair land, known as the Dixon place, the improvements thereon being of no special value. We then visited another location, known as the Nitchey place, consisting of eighty acres, the buildings on which we regard as of no material value for the purposes required by the State. From thence we visited the Fair ground, consisting of eighty acres of well-situated land.

These different localities are all situated in such close proximity to the Missouri river that a sufficient supply of water could be obtained by the use of force pumps. The value placed on these properties is \$3,500 for either place, which, however, would be donated to the State for the purpose of erecting thereon Asylum No. 2. The price of coal is higher at Jefferson City than at any other point visited by your committee, except St. Joseph.

The advantage of the location of the Asylum at this point is chiefly to be found in the employment of convict labor in its construction, and that the institution may be under the constant eye of the legislative branch of the State government.

After a careful consideration of the advantages offered at the points visited, we draw the following conclusions:

That an addition of two wings to the Asylum at Fulton, which would give quarters for about 338 patients, can be built for less immediate outlay of money than at any other point. This, for the reason that sufficient engine, boiler, water and laundry facilities are already at hand. Also, the cost of attendance for the number of patients, in addition to those now there, would be somewhat less than elsewhere.

These economical considerations may, however, be set aside by the fact that almost all medical expert testimony, bearing on the treatment of the insane, points to the conclusion that asylums for the insane should never be made too large.

Another consideration is, that insane asylums should be as easy of access as possible, to save cost of transportation of patients. This last consideration is an objection to building at Fulton, as it leaves all the densely populated northwestern part of the State without asylum facilities.

It must be borne in mind that the State now owns, at St. Joseph, nearly one hundred thousand dollars' worth of asylum property, which, if abandoned by the State for asylum purposes, would prove of but little value for any other purpose. And while it is evident that the immediate actual cost of building at Fulton would be less than at St. Joseph, it is just as evident that the demand for asylum capacity will, in a very few years, be so great as to compel the building of an additional asylum either at St. Joseph or some other point in the northern part of the State.

It is proper, also, to state that the estimates made at Fulton for the extension of that asylum provide for having the new structure ready for occupancy about autumn next.

It was stated to your committee that the asylum at St. Joseph could be ready for occupancy within ninety days from the time that assurances were given that the ruins at that place were to be reconstructed.

Investigation in this case has proven that, no matter at what point the State shall build, the direct details should be, to a large extent, under the direct supervision of some one who is in all respects an expert in the asylum care and treatment of the insane.

After careful considerations of all the facts bearing on this matter, your committee sees no sufficient reason for relocating Asylum

No. 2 at any other point than St. Joseph, and would recommend an appropriation sufficient to carry out the above purpose.

WM. F. COX, Chairman,
H. G. MACKEY,
H. J. MAYNARD.

Which was read.

Mr. Lesueur offered the following resolution :

Resolved, That this House meet in Committee of the Whole, on next Tuesday night, for the purpose of deciding the preference of the House as to the location of Asylum No. 2; which was read.

Mr. Burrows offered the following amendment :

Amend by striking out "Tuesday" and inserting "Friday;" which was read and agreed to.

The resolution as amended was read and adopted.

Mr. Cowan of Holt moved that 200 copies of the report of the special committee be printed; which was not agreed to.

The special order being the consideration of the report, articles of impeachment and resolution submitted, presented and offered by the special committee appointed to prepare articles of impeachment against Elijah Gates, State Treasurer; was taken up.

Mr. Louthan moved that the further consideration of special order be postponed until Tuesday, April 15.

The ayes and noes being demanded, the motion to postpone prevailed by the following vote :

AYES—Messrs. Arnold, Ballew, Bashaw, Berryman, Bohannon, Boulware, Bryan, Carleton, Carroll, Chilton, Chitwood, Coleman, Collins, Cook, Cox, Craig, Creager, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Louthan, Mabrey, Mahn, Moler, Mudd of Lincoln, McDaniel, McIntyre, McKill, O'Malley, Patterson of Schuyler, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Swank, Turner, Vancleve, Waggener, Wells, Weygandt, Windes, Wisby and Mr. Speaker—68.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Berry, Bonham, Booth, Bowman, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Chenoweth, Cloud, Cooper, Cowan of Christian, Cowan of Holt, Crow, Dade, Dryden, Foster, Harrigan, Harrington, Harrison, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mackey, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, Palmer, Pehle, Pepper, Phelan, Reynolds,

Smith of Cedar, Spring, Talbot, Taylor, Whitaker, Wiley, Withers and Younger—56.

ABSENT—Messrs. Brady, Gray, Hall, Haynes, Kendall, Powell, Tevis and Tiernan—8.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, Organ, Patterson of Linn and Powers—6.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

Substitute for House bill No. 398, entitled An act to provide a uniform system for canceling county warrants; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Halé, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Waggener, Weygandt, Whitaker, Windes, Wisby, Withers and Mr. Speaker—113.

NOES—Messrs. Bowman and Cooper—2.

ABSENT—Messrs. Arnold, Brady, Burford, Dawson, Freed, Hall, Haynes, Miles, Powell, Smith of Cedar, Taylor, Tevis, Tiernan, Wells, Wiley and Younger—16.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, McIntyre, Organ, Patterson of Linn and Powers—7.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the resolution was read and agreed to.

Mr. Chilton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 525, entitled An act to regulate the salary of the circuit attorney of the eighth judicial circuit in the State of Missouri, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 525 was taken up, and, on motion, ordered engrossed and printed.

House bill No. 73, entitled An act to amend section 5 of an act entitled an act to regulate the payment of outstanding Union military bonds and the interest due thereon, approved February 15, 1870; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berryman, Burford, Burrows, Carleton, Chilton, Craig, Crowther, Dale, Ewing, Hayes, Kendall, Lackland, Lesueur, Louthan, Mabrey, Mahn, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Palmer, Ragan, Rawlings, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Wells and Mr. Speaker—35.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Bonham, Booth, Bowman, Brown, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Dade, Diercks, Dilley, Dryden, Foster, Freed, Greer, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Lynn, Mackey, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Pehle, Pepper, Phelan, Pollard, Price, Riley, Reynolds, Swank, Whitaker, Wiley, Windes, Wisby and Withers—61.

ABSENT—Messrs. Bashaw, Berry, Boulware, Brady, Brewer, Bryan, Carroll, Davis, Dawson, Dougherty, Ellis, Farr, Finks, Gray, Gwynne, Hall, Hale, Haynes, Harrigan, Harrington, Knight, Miles, Moler, Patterson of Schuyler, Pollock, Powell, Saunders, Settles, Smith of Cedar, Taylor, Tevis, Tiernan, Waggéner, Weygandt and Younger—35.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—7.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

Mr. Wisby moved to reconsider the vote by which the bill failed to pass.

Mr. Booth moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Bohannon, Bonham, Booth, Bowman, Brown, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Collins, Cook, Cooper, Cox, Crow, Dade, Diercks, Dryden, Ellis, Farr, Foster, Hall, Hale, Hammons, Harrison, Ingram, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mackey, Miles, Mudd of Lincoln, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, Pehle, Pepper, Pollard, Price, Smith of St. Louis city, Swank, Waggener, Weygandt, Whitaker and Wiley—54.

NOES—Messrs. Anderson, Arnold, Berry, Boulware, Brewer, Bryan, Burford, Burrows, Chilton, Cowan of Christian, Cowan of Holt, Craig, Creager, Crowther, Dale, Davis, Dawson, Dougherty, Ewing, Freed, Hayes, Harrington, Hynes, Lackland, Lesueur, Mabrey, Mahn, Manistre, Morrison, Mott, Mudd of St. Louis, O'Malley, Palmer, Phelan, Powers, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Talbot, Taylor, Turner, Wells, Wisby and Mr. Speaker—47.

ABSENT—Messrs. Berryman, Brady, Carleton, Carroll, Coleman, Dilley, Finks, Gray, Greer, Gwynne, Haynes, Harrigan, Hubbard, Helm, Johnson, Kendall, Knight, Moler, McCormick of Washington, McElvain, Patterson of Schuyler, Pollock, Powell, Settles, Spring, Tevis, Tiernan, Vancleve, Windes, Withers and Younger—31.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, McDaniel, Organ Patterson of Linn—6.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 526, entitled An act to regulate the sale of tickets, the rate of fare to be charged and the taxes and license to be paid by street railroad companies in the State, and to repeal an act to regulate the sale of tickets, the rate of fare to be charged and the taxes and license to be paid by street railroad companies in the city of St. Louis, approved March 3, 1869, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Internal Improvements; which was read.

House bill No. 526; was taken up, and, on motion, referred to the Committee on Internal Improvements.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 625, entitled An act authorizing the ap-

pointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for their compensation, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 625; was taken up, and, on motion, ordered engrossed and printed.

On motion of Mr. Lackland, the House took a recess until 7½ o'clock P. M.

EVENING SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 3 for Senate bill No. 82, being an act to revise and amend chapter 99 of the General Statutes of the State of Missouri, concerning inn-keepers and their responsibility to their guests, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute No. 3 for Senate bill No. 82; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Harrison, Hubbard, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Price, Ragan, Rawlings, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Windes, Withers and Mr. Speaker—88.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Brady, Bryan, Burford, Campbell of Atchison, Carroll, Chilton, Cowan of Christian, Craig, Davis, Dawson, Dilley, Gray, Hall, Hammons, Haynes, Harrigan, Harrington, Hynes, Ingram, Johnson,

Knight, Moler, Morrison, O'Malley, Pollock, Pollard, Powell, Riley, Reynolds, Saunders, Taylor, Tiernan, Whitaker, Wisby and Younger—41.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 15 for Senate bill No. 52, being An act to revise and amend chapter 147 of the General Statutes of the State of Missouri, concerning damages and contribution in actions of tort, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 15 for Senate bill No. 52; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Withers and Mr. Speaker—93.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bryan, Burford, Campbell of Atchison, Chilton, Cowan of Christian, Craig, Dawson, Dilley, Foster, Gray, Hall, Haynes, Harrigan, Harrington, Ingram, Johnson, Knight, Larimore, Moler, Morrison, McGarry, O'Malley, Pollock, Powell, Riley, Taylor, Tiernan, Whitaker, Windes, Wisby and Younger—37.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 19 for Senate bill No. 52, being An act to revise and amend chapter 151 of the General Statutes of the State of Missouri, concerning ejectment, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 19 for Senate bill No. 52; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hammons, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Withers and Mr. Speaker—91.

NOES—Messrs. Alldridge, Dade, Hale and Pepper—4.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bryan, Burford, Campbell of Atchison, Cowan of Christian, Dawson, Dilley, Foster, Gray, Hall, Haynes, Harrigan, Harrington, Ingram, Johnson, Knight, Lesueur, Manistre, Moler, Morrison, O'Malley, Pollock, Powell, Riley Swank, Taylor, Tiernan, Whitaker, Windes, Wisby and Younger—36.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Souder and Warren—4.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 6 for Senate bill No. 82, being An act to revise and amend chapter 87 of the General Statutes of the State of Missouri, concerning contracts and promises, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 6 for Senate bill No. 82 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Withers and Mr. Speaker—95.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bryan, Burford, Campbell of Atchison, Chilton, Cock, Cowan of Christian, Dawson, Dilley, Foster, Gray, Hall, Haynes, Harrigan, Harrington, Ingram, Johnson, Knight, Moler, Morrison, Pollock, Powell, Riley, Swank, Taylor, Tiernan, Whitaker, Windes, Wisby and Younger—35.

ABSENT WITH LEAVE—Messrs. Anderson, Ham, McDaniel, Organ, Patterson of Linn and Powers—6.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 17 for Senate bill No. 52, being an act to revise and amend chapter 149 of the General Statutes of the State of Missouri, concerning actions by United States collectors of revenue, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 17 for Senate bill No. 52 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Kendall, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Withers and Mr. Speaker—93.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bryan, Burford, Campbell of Atchison, Chilton, Cowan of Christian, Dale, Dawson, Dilley, Foster, Gray, Hayes, Hall, Haynes, Harrigan, Harrington, Ingram, Johnson, Kneisley, Knight, Moler, Morrison, Pollock, Powell, Riley, Taylor, Tiernan, Windes, Wisby, Whitaker and Younger—36.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 2 for Senate bill No. 82, being an act to revise

and amend chapter 91 of the General Statutes of the State of Missouri, concerning letters of attorney, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 for Senate bill No. 82, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berryman, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Helm, Kendall, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of St. Louis city, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Wisby, Withers and Mr. Speaker—93.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bryan, Burford, Campbell of Atchison, Chilton, Collins, Cowan of Christian, Dawson, Dilley, Foster, Gray, Hall, Haynes, Harrington, Harrigan, Hynes, Ingram, Johnson, Kneisley, Knight, Lynn, Moler, Morrison, Pollock, Powell, Riley, Tevis, Tiernan, Whitaker, Windes and Younger—36.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred substitute No. 16 for Senate bill No. 52, being an act to revise and amend chapter 148 of the General Statutes of Missouri, concerning set off, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute No. 16 for Senate bill No. 52, was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Bashaw, Bonham, Boulware, Brady, Brewer, Brown, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Kendall, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Wisby and Withers—91.

NOES—Messrs. Booth, Bowman, Cooper, Dade and Mr. Speaker—5.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bryan, Burford, Campbell of Atchison, Chilton, Cowan of Christian, Dawson, Dilley, Dougherty, Foster, Gray, Hall, Haynes, Harrigan, Harrington, Ingram, Johnson, Kneisley, Knight, Moler, Morrison, Pollock, Powell, Riley, Tevis, Tiernan, Whitaker, Windes and Younger—35.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, Organ, Patterson of Linn and Powers—7.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 553, entitled An act to classify the railroads of this State, as well as the commodities they transport, to regulate and prescribe the tariff of charges thereon, to establish maximum passenger fare, and to repeal an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, beg leave to report that they have consid-

ered the same, and report it back, without recommendation, with the amendments herewith submitted; which was read.

House bill No. 553 was taken up, with the amendments recommended by the Committee on Internal Improvements.

On motion, the bill and amendments were ordered printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was recommitted substitute for Senate bills No. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute for Senate bills Nos. 60 and 204; was taken up, with the following amendments recommended by the Joint Committee on Revision:

Amendment No. 1—Amend by striking out all of section 276, and inserting in lieu thereof the following: Section 276. Every person aggrieved by any final judgment or decision of any circuit court, in any civil cause, or by any such judgment or decision of the St. Louis Court of Appeals, from which an appeal is not prohibited by the Constitution, may make his appeal to the court having appellate jurisdiction of such judgment or decision; which was read and agreed to.

Amendment No. 2—Amend section 21, by adding the following thereto: Fifth. Any action, local or transitory, in which any county shall be plaintiff, may be commenced and prosecuted to final judgment in the county in which the defendant or defendants reside, or in the county suing, and where the defendants or one of them may be found; which was read and agreed to.

Amendment No. 3—Amend section 29, by inserting between the words "years" and "and," in next to last line, the following words: Sixth. Where any action shall be commenced against any county, a copy of the original summons shall be left with the clerk of the county court, fifteen days at least before the return day thereof; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 333, so as to read as follows: Section 333. In each case determined by the Supreme Court, or finally disposed of, upon a motion, the opinion of the court shall be reduced to writing and filed in the cause, and shall show which of the judges delivered the same,

and which concur therein or dissent therefrom; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 334, so as to read as follows: Section 334. Each opinion of the supreme court shall contain a statement of the facts upon which it is based, unless the preparation of such statement be by the court left to the supreme court reporter; Provided, that in each case which, prior to the first day of August, 1881, shall be affirmed or reversed, without being remanded for further action, the written opinion of the court may state simply the points decided and the ruling of the court thereon; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 288, by adding thereto the following words: Provided that the order in which civil and criminal cases are above directed to be docketed may be changed from time to time by order of the court or of the judge thereof; which was read and agreed to.

Mr. Dade offered the following amendment:

Amend section 181, line 10, after the word "proved" by inserting the words, "grounds of his belief, which may be controverted;" which was read.

Mr. Davis offered the following substitute for the amendment:

Amend by striking out section 181; which was read, and not agreed to.

The question recurring upon agreeing to the amendment; it was not agreed to.

Mr. Dryden offered the following amendment:

Amend section 34 of printed bill by striking out the words "for quieting title to real estate," in the second and third lines thereof, and by striking out the words "and in suits for quieting title," in the eighteenth line thereof, and the words "and the real estate, the title to which is sought to be quieted," in the nineteenth and twentieth lines thereof; which was read and agreed to.

Mr. Dryden offered the following amendment:

Amend section 102 by adding thereto the following words: "If any person who shall be proceeded against, under the provisions of this section, shall be a non-resident of this State, the fact of non-residence shall be alleged in the petition, and the order of notice made by the court shall be returnable to the first day of the next regular term of the court making such order, and may be renewed from time to time as occasion may require; and all orders made under the provisions of this section against non-residents of this State, shall be served by delivering a duly exemplified copy thereof to such non-residents, at any place within or without this State, by any person

above the age of twenty-one years, not incompetent to testify as a witness in the cause, and being proved by the affidavit or deposition of such person, such service shall be as effectual as if made by a duly authorized officer in this State upon a resident thereof;" which was read and agreed to.

The bill as amended was read the third time and passed by the following vote :

AYES—Messrs. Adams, Bashaw, Berryman, Booth, Boulware, Brady, Brewer, Brown, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hayes, Harrison, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Patterson of Schuyler, Pehle, Phelan, Pollard, Price, Rawlings, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Wells, Weygandt and Withers—75.

NOES—Messrs. Alldridge, Bowman, Cooper, Dade, Davis, Dawson, Hammons, Hynes, Palmer, Pepper, Turner, Wiley, Wisby and Mr. Speaker—14.

ABSENT — Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Bryan, Burford, Campbell of Atchison, Carroll, Chilton, Coleman, Cowan of Christian, Dilley, Foster, Freed, Gray, Hall, Hale, Haynes, Harrigan, Hubbard, Helm, Ingram, Johnson, Moler, Morrison, Mott, Pollock, Powell, Ragan, Riley, Smith of St. Louis city, Tevis, Tiernan, Vancleve, Waggener, Whitaker, Windes and Younger—41.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, Organ, Patterson of Linn and Powers—7.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Warren—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Wiley, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-SIXTH DAY—THURSDAY, April 10, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the Chair.

Prayer by the Rev. Mr. Godbey.

The journal of yesterday was being read, when

On motion of Mr. Mott, the further reading was dispensed with.

Mr. Dawson offered the following resolution :

Resolved, That the State Auditor be required to ascertain and report to this House, at his earliest possible convenience, the amount of State revenue paid into the State Treasury, from the first day of March, 1867, to the first day of March, 1875, inclusive, the amount of said revenue apportioned and paid into the State school moneys for said time, and the amount still due the State school moneys from said source for same period; which was read and adopted.

Mr. Mott presented a petition from citizens of St. Louis, praying the Legislature to repeal the street railway act of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Lockhart introduced bill No. 658, entitled An act to promote peace and order at elections; which was read the first time and laid over.

Mr. Hynes introduced bill No. 659, entitled An act to amend section 2 of an act entitled an act to provide a uniform system of county courts, approved April 27th, 1879; which was read the first time and laid over.

Mr. Finks introduced bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same; which was read the first time and laid over.

Mr. Hynes introduced bill No. 661, entitled An act to regulate the manufacture and sale of bitters, or medicated intoxicating liquors; which was read the first time and laid over.

Senate substitute No. 8 for Senate bill No. 52, entitled An act to revise and amend chapter 140 of the General Statutes of the State of Missouri, concerning writs and process; was called up, read the second time, and, on motion, referred to the Committne on Judiciary.

Senate substitute No. 8 for Senate bill No. 82, entitled An act to revise and amend chapter 92 of the General Statutes of the State of Missouri, concerning sureties and their discharge; was called up,

read the second time, and on motion, referred to the Committee on Judiciary.

Senate substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange, and negotiable promissory notes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 184, entitled An act to repeal an act entitled an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30th, 1874; was called up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

Senate bill No. 268, entitled An act to amend sections 10 and 13 of an act to amend an act entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of an act entitled an act to provide for the assessment of railroad property, and the collection of taxes thereon, approved March 24th, 1873, approved March 1st, 1875; was called up, read the second time, and, on motion, referred to Committee on Internal Improvements.

Mr. Ewing moved to reconsider the vote by which the House agreed to the amendment striking out the enacting clause of House bill No. 350; which was agreed to.

House bill No. 350; was taken up, and, on motion, the further consideration of the bill was postponed.

House bill No. 533, entitled An act to provide for the transferring the records of swamp land patents, from the office of the clerk of the county court to the office of the clerk of the circuit court; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Cook, Cox, Craig, Creager, Crow, Dawson, Diercks, Dougherty, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hale, Hammons, Harrigan, Harrington, Harrison, Hynes, Helm, Johnson, Kendall, Larimore, Lockhart, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, Palmer, Patterson of Schuyler, Pehle, Pepper, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley, Windes, Withers, Younger and Mr. Speaker—84.

NOES—Messrs. Bowman, Cloud, Cooper, Dade, Hubbard, Ingram and Pollard—7.

ABSENT—Messrs. Adams, Andrews, Bashaw, Booth, Brady, Campbell of Atchison, Collins, Cowan of Christian, Cowan of Holt, Crowther, Dale, Davis, Dilley, Farr, Foster, Freed, Gwynne, Hall, Haynes, Kneisley, Knight, Lackland, Lesueur, Louthan, Lynn, Miles, Moler, McGarry, McKinney, O'Malley, Phelan, Pollock, Spring, Taylor, Tevis and Wisby—36.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 534, entitled An act authorizing county courts to correct swamp land entries, patents and records; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Dawson, Diercks, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Hammons, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Larimore, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Windes, Withers and Younger—94.

NOES—Messrs. Dade and Mr. Speaker—2.

ABSENT—Messrs. Andrews, Booth, Bowman, Brady, Burrows, Collins, Craig, Crowther, Dale, Davis, Dilley, Dougherty, Freed, Gwynne, Hall, Haynes, Harrington, Johnson, Knight, Lackland, Lesueur, Lockhart, Moler, McKinney, Pepper, Pollock, Pollard, Reynolds, Smith of Cedar, Taylor, Whitaker and Wisby—32.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville education society; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—100.

NOES—Mr. Speaker—1.

ABSENT—Messrs. Andrews, Bonham, Booth, Bryan, Crowther, Davis, Dawson, Dilley, Foster, Freed, Gwynne, Haynes, Harrigan, Lackland, Lesueur, Louthan, Mackey, Miles, Mudd of Lincoln, McKinney, Pepper, Pollock, Pollard, Saunders, Tevis, Windes and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Drum, Ham, McDaniel, McIntyre, Organ, Powers and Patterson of Linn—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Souder, Tiernan and Warren—5.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Dawson, Diercks, Dougherty, Ellis, Ewing, Farr, Freed, Foster, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland,

Larimore, Lockhart, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—102.

ABSENT—Messrs. Bryan, Booth, Carroll, Chenoweth, Cowan of Christian, Crowther, Davis, Dilley, Finks, Hall, Haynes, Harrigan, Hynes, Louthan, Lesueur, Lynn, McKinney, Pepper, Pollock, Pollard, Powell, Reynolds, Windes and Wisby—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

NOT VOTING—Mr. Speaker—1.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Tiernan was reported sick.

Substitute for House bills Nos. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dilley, Dougherty, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Hayes, Hall, Hammons, Harrigan, Harrington, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—100.

NOES—Messrs. Alldridge, Berryman, Cooper, Dale, Finks, Gwynne, Hale, Harrison, Helm, Lesueur, Mahn, Mudd of Lincoln, Swank, Taylor, Windes and Mr. Speaker—16.

ABSENT—Messrs. Booth, Chenoweth, Davis, Dawson, Diercks, Haynes, McKinney, Pollard, Settles, Waggener and Wisby—11.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Hammons moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchi-on, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrington, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pepper, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Vancleve, Wells, Wiley and Withers—82.

NOES—Messrs. Alldridge, Andrews, Arnold, Beckner, Bowman, Cooper, Cowan of Christian, Craig, Dade, Dale, Greer, Harrison, Hubbard, Hynes, Ingram, Lesueur, Mabrey, Manistre, Miles, Mott, Mudd of St. Louis, McCormick of Washington, Phelan, Reynolds, Taylor, Weygandt, Whitaker, Windes, Younger and Mr. Speaker—30.

ABSENT—Messrs. Booth, Burford, Davis, Dawson, Diercks, Dilley, Haynes, McCormick of St. Louis city, McKinney, Pehle, Powell, Swank, Turner, Waggener and Wisby—15.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hale, Hammons, Harrigan, Harrington, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Wiley, Withers and Mr. Speaker—90.

NOES—Messrs. Alldridge, Andrews, Bowman, Cooper, Dale, Greer, Hall, Harrison, Hubbard, Hynes, Ingram, Mabrey, McKinney, Reynolds, Taylor, Whitaker, Windes and Younger—18.

ABSENT—Messrs. Beckner, Booth, Cowan of Christian, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Haynes, Johnson, Kendall, Miles, Moler, Mudd of St. Louis, Pollard, Powell, Waggener and Wisby—19.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn and Powers—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate joint and concurrent resolution No. 4, entitled Joint and concurrent resolution requesting Senators and Representatives in Congress to vote for and use all means in their representative capacity, to establish an efficient and stable government in the Indian territory; was taken up, read at length by the Clerk and signed by the Speaker, without objections.

Senate substitute No. 11 for Senate bill No. 52, entitled An act to revise and amend chapter 143 of the General Statutes of the State of Missouri, concerning evidence, statutes, public records and documents; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

The special order being the consideration of House bill No. 511, entitled An act to preserve the purity of elections, and to prevent official corruption; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Arnold, Bashaw, Berry, Berryman, Bohannon, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Cooper, Cowan of Holt, Cox, Creager, Crow, Davis, Diercks, Dougherty, Dryden, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Lesueur, Louthan, Mabrey, Mahn, Manistre, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Patterson of Schuyler, Pehle, Phelan, Pollock, Price, Ragan, Rawlings, Reynolds, Saunders, Settles, Smith of St. Louis city, Taylor, Tevis, Vancleve, Waggener, Weygandt, Wiley, Windes, Wisby and Younger—78.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Bonham, Boulware, Burford, Burrows, Chenoweth, Collins, Cook, Cowan of Christian, Craig, Dade, Dale, Ellis, Ewing, Freed, Harrison, Hynes, Ingram, Kneisley, Knight, Larimore, Lockhart, Lynn, Mackey, Miles, Morrison, McCormick of Washington, McKinney, Palmer, Pepper, Pollard, Powell, Riley, Smith of Cedar, Spring, Swank, Talbot, Turner, Wells, Whitaker and Withers—46.

NOT VOTING—Mr. Speaker—1.

ABSENT—Messrs. Booth, Crowther, Dawson, Dilley, Haynes and Johnson—6.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, Organ, Patterson of Linn and Powers—6.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 276, entitled An act to amend an act to establish three terms a year of the circuit court at La Plata, Macon county, Missouri. approved April 28, 1877;

Also, substitute No. 18 for Senate bill No. 52, entitled An act to revise and amend chapter 150 of the General Statutes, concerning ac-

tions on penal bonds; in which the concurrence of the House is respectfully requested.

Also that the Senate has taken up and concurred in House amendments to Senate joint and concurrent resolution No. 21, entitled Joint and concurrent resolution, concerning the revision of the statutes; which was read.

Substitute for House bills Nos. 233, 268 and 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Anderson, Andrews, Bashaw, Boulware, Bowman, Brady, Brewer, Brown, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Davis, Diercks, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Harrigan, Harrington, Hubbard, Kendall, Lackland, Larimore, Lesueur, Mackey, Mahn, Manistre, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McGarry, Palmer, Phelan, Pollock, Pollard, Ragan, Saunders, Settles, Smith of St. Louis city, Swank, Taylor, Vancleve, Weygandt, Wiley, Wisby, Younger and Mr. Speaker—64.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Bryan, Burford, Chenoweth, Chitwood, Coleman, Cooper, Cowan of Christian, Craig, Creager, Dade, Dale, Dougherty, Freed, Greer, Hale, Hammons, Harrison, Hynes, Helm, Ingram, Knight, Lockhart, Louthan, Lynn, Mabrey, Miles, Morrison, Mudd of Lincoln, McElvain, McIntyre, McKill, McKinney, Pehle, Pepper, Powell, Price, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Waggener, Wells, Whitaker, Windes and Withers—55.

ABSENT—Messrs. Booth, Dawson, Dilley, Haynes, Johnson, Kneisley, McCormick of Washington, O'Malley, Patterson of Schuyler, Riley, Tevis and Turner—12.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, Organ, Patterson of Linn and Powers—6.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

Mr. Hammons moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table.

The question being upon agreeing to the motion to lay the motion to reconsider on the table; it was not agreed to.

The question recurring upon agreeing to the motion to reconsider the vote by which the bill failed to pass, pending its consideration,

On motion of Mr. Davis, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

The House resumed the consideration of substitute for House bills Nos. 233, 268 and 158, pending at the hour of recess.

The question being upon agreeing to the motion to reconsider the vote by which the bill failed to pass; it was agreed it.

Mr. Gwynne moved to reconsider the vote by which the bill was ordered to a third reading; which was agreed to.

The bill was then read the third time and passed by the following vote:

AYES — Messrs. Adams, Anderson, Andrews, Bashaw, Bonham, Boulware, Bowman, Brady, Brown, Burrows, Carleton, Carroll, Chilton, Cloud, Collins, Cook, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Harrigan, Harrington, Hubbard, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Mackey, Mahn, Manistre, Moler, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, O'Malley, Palmer, Pepper, Phelan, Pollock, Price, Ragan, Rawlings, Saunders, Settles, Smith of St. Louis city, Swank, Taylor, Waggener, Weygandt, Wiley, Wisby, Younger and Mr. Speaker—73.

NOES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Burford, Chenoweth, Chitwood, Cooper, Cowan of Christian, Craig, Dade, Dale, Freed, Greer, Hale, Hammons, Harrison, Hynes, Helm, Ingram, Johnson, Louthan, Lynn, Mabrey, Miles, Morrison, Mudd of Lincoln, McElvain, McIntyre, McKill, McKinney, Pehle, Powell, Riley, Smith of Cedar, Spring, Talbot, Tevis, Turner, Wells, Whitaker, Windes and Withers—47.

ABSENT—Messrs. Booth, Brewer, Bryan, Campbell of Atchison, Coleman, Haynes, Kendall, Patterson of Schuyler, Pollard, Reynolds and Vancleve—11.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, Organ, Patterson of Linn and Powers—6.

SICK—Messrs. Campbell of St. Louis city, Maynard, Souder, Tiernan and Warren—5.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Bashaw, Bohannon, Bonham, Bowman, Brady, Brown, Burrows, Carleton, Carroll, Chilton, Cloud, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Crow, Davis, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Harrigan, Harrington, Hubbard, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Mackey, Mahn, Manistre, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McKill, O'Malley, Palmer, Pepper, Phelan, Pollock, Powell, Price, Ragan, Rawlings, Riley, Saunders, Smith of St. Louis city, Swank, Taylor, Tevis, Turner, Waggener, Weygandt, Wiley, Wisby and Mr. Speaker—74.

NOES—Messrs. Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Chitwood, Cooper, Craig, Crowther, Dade, Hale, Harrison, Hynes, Louthan, Lynn, Miles, Moler, Morrison, Mudd of Lincoln, McElvain, McKinney, Pehle, Smith of Cedar, Talbot, Wells, Whitaker, Windes, Withers and Younger—30.

ABSENT—Messrs. Booth, Boulware, Brewer, Bryan, Burford, Campbell of Atchison, Chenoweth, Coleman, Creager, Dale, Dawson, Freed, Greer, Hammons, Haynes, Helm, Ingram, Johnson, Kendall, Mabrey, Patterson of Schuyler, Pollard, Reynolds, Settles, Spring and Vancleve—26.

ABSENT WITH LEAVE—Messrs. Cock, Drum, Ham, McIntyre, Organ, Patterson of Linn and Powers—7.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 386, entitled An act to revise and amend chapter 113 of the General Statutes of Missouri, concerning marriage and marriage contracts; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Berryman, Bonham, Boulware, Burford, Burrows, Chilton, Cloud, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Dale, Davis, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Kniesley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mackey, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McIntyre, McKill, McKinney, Pehle, Pepper, Pol-

lock, Pollard, Price, Ragan, Rawlings, Riley, Saunders, Smith of St. Louis city, Spring, Taylor, Waggener, Wells, Whitaker, Wiley and Windes—74.

NOES—Messrs. Arnold, Beckner, Bohannon, Bowman, Brady, Brewer, Brown, Bryan, Carleton, Carroll, Chenoweth, Chitwood, Cooper, Cox, Craig, Crow, Dade, Dawson, Greer, Gwynne, Harrigan, Ingram, Kendall, Mabrey, Mahn, Miles, Moler, McElvain, O'Malley, Palmer, Phelan, Powell, Settles, Smith of Cedar, Swank, Talbot, Turner, Weygandt, Wisby, Withers, Younger and Mr. Speaker—42.

ABSENT—Messrs. Ballew, Booth, Campbell of Atchison, Coleman, Crowther, Haynes, Johnson, Louthan, McGarry, Patterson of Schuyler, Reynolds, Tevis and Vancleve—13.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Ham, McDaniel, Organ, Patterson of Linn and Powers—8.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

Mr. Belch objected, and raised the point of order that the two motions could not be made by one member, when objections were interposed.

Mr. Waggener, acting as Speaker, *pro tem.*, decided the point of order not well taken.

Mr. Arnold appealed from the decision of the chair.

The question being shall the decision of the chair stand as the decision of the House,

The ayes and noes were demanded, and the decision of the chair was sustained by the following vote:

AYES—Messrs. Alldridge, Bashaw, Berryman, Bonham, Burford, Burrows, Chilton, Cloud, Cook, Cowan of Christian, Craig, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Harrington, Hubbard, Hynes, Helm, Ingram, Kendall, Knight, Lockhart, Lynn, Hubbard, Mabrey, Manistre, Mott, Mudd of Lincoln, McCormick of Washington, McIntyre, McKinney, Pehle, Pollock, Ragan, Rawlings, Riley, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Waggener, Wells, Whitaker, Wiley and Windes—52.

NOES—Messrs. Adams, Andrews, Arnold, Ballew, Beckner, Berry, Bowman, Brady, Brown, Carleton, Carroll, Chenoweth, Chitwood, Collins, Cooper, Cowan of Holt, Cox, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Foster, Gwynne, Hammons, Lackland, Larimore, Lesueur, Mackey, Mahn, Moler, Morrison, McCormick of St. Louis city, McGarry, O'Malley, Palmer, Pepper, Phelan,

Pollard, Powell, Price, Settles, Smith of St. Louis city, Swank, Turner, Wisby, Withers and Younger—51.

ABSENT—Messrs. Bohannon, Booth, Boulware, Brewer, Bryan, Campbell of Atchison, Coleman, Creager, Freed, Haynes, Harrigan, Harrison, Johnson, Kneisley, Louthan, Miles, Mudd of St. Louis, McElvain, McKill, Patterson of Schuyler, Reynolds, Saunders, Vancleve and Weygandt—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Drum, Dryden, Ham, McDaniel, Organ, Patterson of Linn and Powers—9.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

NOT VOTING—Mr. Speaker—1.

The question recurring upon agreeing to the motion to lay the motion to reconsider on the table; it was agreed to.

Mr. Carroll introduced House bill No. 662, entitled An act providing that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge or clerk of election in cities or towns of this State; which was read the first time and laid over.

Leave of absence was granted Mr. Windes for four days.

Leave of absence was granted Mr. Booth for one day.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 581, entitled An act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and herewith return the same without recommendation; which was read.

House bill No. 581 was taken up, and, on motion, ordered engrossed and printed.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 156, entitled An act to provide for the formation of drainage districts to reclaim and drain swamp and overflowed lands in this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 546, entitled An act defining the jurisdiction of common pleas courts, beg leave to report that they have examined

the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 479, entitled An act to repeal section 2 of an act entitled an act in relation to the public institutions of the State, approved April 28, 1877, beg leave to report that they have considered the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Smith of St. Louis city, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 144, entitled An act to authorize counties for themselves, and in behalf of townships therein, and cities and towns, to compromise and redeem or fund their debts, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Bowman, from the Committee on Mines and Mining, submitted the following report:

MR. SPEAKER: Your Committee on Mines and Mining, to whom was referred House bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation by mining operations, approved April 21, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 586; was taken up, and, on motion, ordered engrossed and printed.

Mr. Cox moved to reconsider the vote by which House bill 586 was ordered to engrossment and printing; which was not agreed to.

On motion of Mr. Wells, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-SEVENTH DAY—FRIDAY, April 11, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Saunders introduced bill No. 663, entitled An act to regulate the business of fire insurance in the State of Missouri; which was read the first time and laid over.

Mr. Brady introduced bill No. 664, entitled An act to require pawnbrokers to pay a State license; which was read the first time and laid over.

Mr. Riley introduced bill No. 665, entitled An act allowing ex-county collectors and their attorneys one-half of the commissions on judgments obtained in suits on back taxes by them; which was read the first time and laid over.

Mr. Manistre presented a petition from citizens of St. Louis, praying the Legislature to repeal the street railroad law of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House joint and concurrent resolution No. 41, entitled Joint and concurrent resolution concerning certain lands in the State of Missouri, and find the same truly and correctly enrolled; which was read.

House joint and concurrent resolution No. 41, was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bills Nos. 630 and 633, entitled Acts to amend section 31 of chapter 122, and section 42 of chapter 160 of the General Statutes, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Judiciary; which was read.

House bills Nos. 630 and 633 were taken up, and, on motion, the bills were referred to the Committee on Judiciary.

Mr. Foster presented a petition from citizens of St. Louis, praying the Legislature to frame an amendment to the laws whereby legal sales of sheriffs and court officials may be made at the real estate exchange, as well as at the east front door of the court house; which was read, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 15 for Senate bill No. 52, entitled An act to revise and amend chapter 147 of the General Statutes of the State of Missouri, concerning damages and contributions, and actions of tort; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 16 for Senate bill No. 52, entitled An act to revise and amend chapter 148 of the General Statutes of the State of Missouri, concerning set-off; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 6 for Senate bill No. 82, entitled An act to revise and amend chapter 87 of the General Statutes, concerning contracts and promises; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 17 for Senate bill No. 52, entitled An act to revise and amend chapter 149 of the General Statutes of the State of Missouri, concerning action by United States collectors of revenue; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 2 for Senate bill No. 82, entitled An act to revise and amend chapter 91 of the General Statutes of the State of Missouri, concerning letters of attorney; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 19 for Senate bill No. 52, entitled An act to revise and amend chapter 151 of the General Statutes of the State of Missouri, concerning ejectment; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. O'Malley, from the Committee on Immigration, submitted the following report:

MR. SPEAKER: Your Committee on Immigration, to whom was referred Senate bill No. 235, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 235; was taken up, and, on motion, laid over for a third reading.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, April 11, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I return to the House with my approval indorsed thereon,
a bill of the following title:

An act to provide a jury system in cities having over one hundred thousand inhabitants.

Very respectfully,

JOHN S. PHELPS.

Which was read.

House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue; was called up.

Mr. Ewing moved to refer the bill to a special committee of seven, to be appointed by the Speaker; which was agreed to.

Mr. Foster, from the Committee on Militia, submitted the following report:

MR. SPEAKER: Your Committee on Militia, to whom was referred Senate bill No. 277, entitled An act to revise and amend an act entitled an act to provide for the organization and government of the militia of the State of Missouri, repealing all other acts and parts of acts inconsistent with this act, approved May 15, 1877, beg leave to report that they have considered the same, and recommend that it do pass with the following amendments; which was read.

Senate bill No. 277; was taken up, with the following amendments recommended by the Committee on Militia:

Amendment No. 1—Amend by striking out sections "4 and 69," and inserting the following in lieu thereof, to be numbered section 4: "The national guard of Missouri shall consist of persons who are or have been liable to perform military duty, and in addition thereto, such as may be under the age thereof who have the consent of their parents or guardians, who shall have voluntarily enlisted therein: Provided, that this law shall not be construed to effect the existence of any national guard State of Missouri organization, heretofore existing, or the commission of or term of service of any officer or member thereof;" which was read and agreed to.

Amendment No. 2—Amend section 5 by striking out all after the word, "infantry," in line 14, and inserting the following in lieu thereof: "The Commander in Chief shall divide the State into five military districts, and the forces in each district organized into not more than one brigade, and such brigades may be organized into not more than one division;" which was read and agreed to.

Amendment No. 3—Amend section 7, in line 1, by striking out the word, “brigade,” and inserting the words, “military district,” in lieu thereof; which was read and agreed to.

Amendment No. 4—Amend section 37, in line 4, by striking out the word, “persons,” and inserting the words, “officers of the national guard of Missouri,” in lieu thereof; which was read and agreed to.

Amendment No. 5—Amend said section, in line 8, by striking out the word, “persons,” and insert the word, “officers,” in lieu thereof; which was read and agreed to.

Amendment No. 6—Amend section 13, line 1, by inserting between the words, “shall” and “wear,” the words, “when on duty:” and in line 2, the word, “shall,” between the words, “and” and “be;” which was read and agreed to.

Amendment No. 7—Amend by adding the following section, to be numbered section 69: “The commander in chief shall annually, and as often as he may deem it necessary, order an inspection of all ordnance and ordnance stores belonging to the State, and whenever the commander in chief is satisfied, from the report of any inspection of ordnance or ordnance stores, that the said stores are damaged or unserviceable, then the commander in chief may order some proper officer to sell said ordnance stores at auction, to the highest cash bidder, the money thus paid to be immediately paid into the State Treasury for the use and benefit of the militia;” which was read and agreed to.

Mr. Wells offered the following amendment:

Amend section 36, article 7, by adding thereto the following words: “In addition to his other duties, as herein provided, the Adjutant-General, shall be ex-officio the Governor’s Private Secretary, without additional compensation;” which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Burford, Chenoweth, Chitwood, Dale, Diercks, Ewing, Freed, Harrington, Haynes, Ingram, Kneisley, Miles, Mudd of Lincoln, McKinney, Pehle, Ragan, Riley, Smith of Cedar, Spring, Wells, Whitaker and Withers—28.

NOES—Messrs. Adams, Arnold, Berryman, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Dougherty, Farr, Foster, Greer, Gwynne, Hayes, Hall,

Hale, Hammons, Harrigan, Harrison, Hubbard, Helm, Kendall, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Powell, Rawlings, Reynolds, Saunders, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Weygandt, Wiley, Younger and Mr. Speaker—76.

ABSENT—Messrs. Ballew, Burrows, Cooper, Dilley, Ellis, Finks, Gray, Haynes, Johnson, Knight, Morrison, McCormick of Washington, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Price, Settles, Smith of St. Louis city, Swank and Wisby—22.

ABSENT WITH LEAVE—Messrs. Anderson, Booth, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Windes—11.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

Mr. Foster moved that the bill be read a third time, and put upon its passage; which was agreed to.

Mr. Gray moved to reconsider the vote by which the bill was ordered to a third reading; which was not agreed to.

The bill, as amended, was then read the third time, and failed to pass by the following vote:

AYES—Messrs. Arnold, Berry, Berryman, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Carroll, Cloud, Cock, Collins, Cowan of Holt, Cox, Crow, Crowther, Dougherty, Ewing, Farr, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Hubbard, Hynes, Kendall, Lackland, Lesueur, Lockhart, Louthan, Mabrey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McKill, O'Malley, Palmer, Pollock, Price, Saunders, Swank, Taylor, Vancleve, Waggener, Weygandt, Wiley, Younger and Mr. Speaker—56.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Bohannon, Bonham, Boulware, Brown, Burford, Chenoweth, Chilton, Chitwood, Coleman, Cook, Cooper, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Ellis, Foster, Gray, Greer, Hale, Harrison, Helm, Ingram, Johnson, Kneisley, Larimore, Lynn, Mackey, Manistre, Miles, McCormick of Washington, McElvain, McKinney, Pehle, Pepper, Powell, Rawlings, Riley, Reynolds, Spring, Talbot, Tevis, Turner, Wells, Whitaker and Withers—53.

ABSENT—Messrs. Ballew, Carleton, Davis, Dawson, Dilley, Finks, Freed, Haynes, Knight, Patterson of Schuyler, Phelan, Pollard, Ragan, Settles, Smith of Cedar, Smith of St. Louis city and Wisby—17.

ABSENT WITH LEAVE—Messrs. Anderson, Booth, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Windes—11.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder, Tiernan and Warren—6.

Mr. Pepper moved to reconsider the vote by which the bill failed to pass.

Mr. Cook moved to lay his motion to reconsider on the table.

The question being upon agreeing to the motion to lay the motion to reconsider on the table, the ayes and noes were demanded, and the motion did not prevail by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Bonham, Boulware, Brown, Burford, Burrows, Chenoweth, Chilton, Chitwood, Coleman, Cook, Cooper, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Ellis, Freed, Gray, Greer, Harrison, Hynes, Ingram, Kniesley, Larimore, Mackey, Manistre, Miles, McCormick of Washington, McElvain, McKill, McKinney, Pehle, Pepper, Pollard, Powell, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Warren, Wells, Weygandt and Withers—52.

NOES—Messrs. Anderson, Arnold, Berryman, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Collins, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Dougherty, Ewing, Farr, Foster, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Hubbard, Johnson, Kendall, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Louis city, McGarry, O'Malley, Palmer, Pollock, Price, Ragan, Riley, Saunders, Settles, Swank, Taylor, Tevis, Vancleve, Waggener, Whitaker, Wiley, Wisby, Younger and Mr. Speaker—64.

ABSENT—Messrs. Ballew, Bashaw, Berry, Dilley, Finks, Haynes, Harrington, Helm, Knight, Patterson of Schuyler, Phelan and Smith of St. Louis city—12.

ABSENT WITH LEAVE—Messrs. Booth, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Windes—10.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Tiernan—5.

The question recurring upon agreeing to the motion to reconsider the vote by which the bill failed to pass; it was agreed to.

Mr. Foster moved to reconsider the vote by which the bill was ordered to a third reading.

The ayes and noes being demanded, the motion to reconsider prevailed by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Berryman, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Collins, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Dawson, Dougherty, Ewing, Farr, Foster, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Saunders, Settles, Swank, Taylor, Tevis, Turner, Vancleve, Wells, Weygandt, Wiley, Wisby, Younger and Mr. Speaker—73.

NOES—Messrs. Alldridge, Andrews, Beckner, Bohannon, Bonham, Boulware, Brown, Burford, Burrows, Chitwood, Coleman, Cook, Cooper, Cowan of Christian, Creager, Dade, Dale, Diercks, Ellis, Freed, Gray, Greer, Harrison, Hynes, Ingram, Kneisley, Larimore, Mackey, Manistre, Miles, McCormick of Washington, McKinney, Pehle, Pepper, Powell, Reynolds, Smith of Cedar, Spring, Talbot, Warren, Whitaker and Withers—42.

ABSENT—Messrs. Ballew, Bashaw, Dilley, Finks, Haynes, Johnson, Knight, Moler, Patterson of Schuyler, Phelan, Smith of St. Louis city and Waggener—12.

ABSENT WITH LEAVE—Messrs. Anderson, Booth, Drum, Dryden, Ham, McDaniel, McIntyre, Organ, Patterson of Linn, Powers and Windes—11.

SICK—Messrs. Campbell of St. Louis city, Dodson, Maynard, Souder and Tiernan—5.

Leave of absence was granted Mr. Finks for four days.

On motion of Mr. Harrigan, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

The House resumed the consideration of Senate bill No. 277, pending at the hour of recess.

Mr. Wells offered the following amendment:

Amend section 49 by striking out the words "and counties;" which was read and agreed to.

Mr. Bryan offered the following amendment:

Amend by striking out "fifty dollars," in line 9 of section 1, article 1, and insert "one dollar;" which was read.

Mr. Wells offered the following substitute for the amendment:

Amend section 1 by striking out all of said section, after the word "do," in line 6 of the printed bill ; which was read and agreed to.

Mr. Wells offered the following amendment :

Amend by striking out section 60 ; which was read and agreed to.

Mr. Wells offered the following amendment :

Amend section 50 by striking out the word "shall," in line 1 of the printed bill, and insert in lieu thereof, the word "may;" which was read and agreed to.

Mr. Wells offered the following amendment :

Amend section 36 by striking out all of said section, after the word "militia," where the same first occurs, in line 7 of the printed bill ; which was read and agreed to.

Mr. Wells offered the following amendment :

Amend section 24 by striking out all of said section, after the word "peace," in line 3 of the printed bill ; which was read and agreed to.

Mr. Wells offered the following amendment :

Amend section 14 by adding thereto the following words: "The same to be paid by the city or county requiring such service;" which was read.

Mr. Foster moved to lay the amendment on the table ; which was agreed to.

Mr. Johnson, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 255, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wagner's Statutes, approved March 18, 1875, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Mr. Johnson, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 561, entitled An act to authorize the board of trustees of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Mr. Johnson, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 550, entitled An act to provide for the redemption of real estate sold under foreclosure of mortgages, deeds of trusts or execution, and to repeal all acts and parts of acts inconsistent herewith, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Johnson, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 301, entitled An act to amend section 3 of an act approved March 28, 1877, concerning the assessment and collection of taxes, and section 56 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Johnson, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 380, entitled An act to protect owners of live stock, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for Senate bills No. 86 and 207, entitled Acts to revise and amend title 4, chapter 10, General Statutes of Missouri, concerning the treasury department;

Also, substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads, organized under the general laws of this State;

Also, substitute for Senate bill No. 101, entitled An act to revise and amend chapter 35, General Statutes of Missouri, concerning the organization of counties, in which the concurrence of the House is respectfully requested; which was read.

The Speaker announced the following special committee to consider and report upon House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue:

Messrs. Ewing, Ingram, Bashaw, Mudd of St. Louis, Burrows, Finks and Wells.

Mr. Gwynne offered the following resolution :

Resolved, That the Senate be requested to return to this House Senate bill No. 151, passed on yesterday ; which was read and adopted.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER : Your Committee on Judiciary, to whom was referred House bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds, beg leave to report that they have considered the same, and recommend that it do not pass ; which was read.

House bill No. 491 ; was taken up.

Mr. Taylor offered a substitute for the bill ; which was read and agreed to.

On motion, the substitute was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER : Your Committee on Judiciary, to whom was referred House bill No. 493, entitled An act to provide for filling the office of recorder of deeds, beg leave to report that they have considered the same, and recommend that it do not pass ; which was read.

House bill No. 493 was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER : Your Committee on Judiciary, to whom was referred House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first-class to administer, free of charge, all oaths in connection with their official duties, beg leave to report that they have considered the same, and recommend that it do pass with amendment herewith submitted ; which was read.

House bill No. 642 was taken up with the following amendment, recommended by the Committee on Judiciary : Amend by inserting the following words : "And in all cities having a population of over 100,000 inhabitants," after the word "class" in line one of section one ; which was read and agreed to.

On motion, the bill as amended was referred to the Joint Committee on Revision.

House bill No. 380, entitled An act to protect owners of live stock ; was called up.

Mr. Moler moved to reconsider the vote by which the bill was ordered to engrossment and printing ; which was agreed to.

Mr. Moler moved that the bill be referred to the Committee on Agriculture ; which was agreed to.

Mr. Farr, from the Committee on Education, submitted the following report :

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 451, entitled An act to establish a bureau of labor statistics, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted ; which was read.

House bill No. 451, was taken up, with the following amendments recommended by the Committee on Education :

Amendment No. 1—Amend section 4, line 2, by striking out twenty-five hundred dollars and inserting fifteen hundred dollars in lieu thereof ; which was read and agreed to.

Amendment No. 2—Amend section 4, line 3, by striking out fifteen hundred dollars, and substituting one thousand dollars ; which was read and agreed to.

Amendment No. 3—Amend section 4, line 8, by striking out five thousand dollars, and substituting three thousand dollars ; which was read and agreed to.

Amendment No. 4—Amend section 5, line 3, by striking out nine thousand dollars, and substituting five thousand five hundred dollars ; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 624, entitled An act to amend sections three, four and five, of an act entitled "An act to compel sheriffs, marshals, coroners and all clerks of courts of record, and other officers to keep an account of and pay over fees of witnesses and others, when collected by them, approved March 24, 1874, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

House bill No. 624 was taken up, and, on motion, ordered engrossed and printed.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 623, entitled An act providing for the removal of justices of the peace and ministerial officers for extor-

tion, malfeasance or oppression in office, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 623 was taken up, and, on motion, ordered engrossed and printed.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 622, entitled An act declaring advertising rebates illegal, and providing penalties for violation thereof, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 622 was taken up, and on motion, ordered engrossed and printed.

Mr. Hall introduced bill No. 667, entitled An act to amend certain named sections of an act entitled an act to incorporate cities of the first class, approved May 23, 1877; which was read the first time and laid over.

Mr. McCormick of St. Louis city introduced bill No. 668, entitled An act requiring certain officers to pay over fees to the treasurer of certain municipalities; which was read the first time and laid over.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 578, entitled An act for the relief of Andrew J. Cunut, beg leave to report that they have considered the same; and recommend that it do not pass; which was read.

House bill No. 578 was taken up, and, on motion, laid on the table.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 355, entitled An act to revise and amend chapter 64 of the General Statutes of Missouri, concerning macadam, graded and plank road companies, beg leave to report it back to the House without recommendation; which was read.

House bill No. 355 was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Cox introduced bill No. 666, entitled An act to appropriate money for repairs of fences and enclosures of the Capitol grounds; which was read the first time and laid over.

House bills Nos. 157 and 457 were taken up, with the substitute recommended by the Committee on Criminal Jurisprudence, entitled

An act to amend section 8 of chapter 98 of the General Statutes of 1865, entitled dramshop keepers and their licenses.

The substitute was read and agreed to.

Mr. Burrows offered the following amendment to the substitute:

Amend section 8, after the words "to keep a dramshop in any city," the words "of less than two thousand inhabitants;" which was read and not agreed to.

On motion, the bill was ordered engrossed and printed.

House bill No. 658, entitled An act to promote peace and order at elections; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 659, entitled An act to amend section 2 of an act entitled an act to provide for a uniform system of county courts, approved April 27, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 661, entitled An act to regulate the manufacture and sale of bitters or medicated intoxicating liquors; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 662, entitled An act providing that it shall not be necessary to be the owner of real estate, in order to hold any office or be judge or clerk of election in cities or towns of this State; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Dade introduced bill No. 669, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 57 of Wagner's Statutes, acts of 1875, and by adding another section, prescribing penalties, etc.; which was read the first time and laid over.

Senate substitute No. 18 for Senate bill No. 52, entitled An act to revise and amend chapter 150 of the General Statutes of Missouri, concerning actions on penal bonds; was called up and read the first time.

Senate bill No. 276, entitled An act to amend an act to establish three terms a year of the circuit court at LaPlata, Macon county, Missouri, approved April 28, 1877; was called up and read the first time.

On motion of Mr. Lackland, the House took a recess until 7½ o'clock, p. m.

EVENING SESSION.

The hour of recess having expired, the House was called to order.
Speaker Belch in the chair.

On motion of Mr. Lesueur, the House resolved itself into a Committee of the Whole, in pursuance of a resolution passed on Wednesday, April 9th, for the purpose of deciding the preference of the House as to the location of Asylum No. 2.

Mr. Wiley in the chair.

On motion of Mr. Gwynne, the committee rose.

The Speaker took the chair and called the House to order.

Mr. Wiley, Chairman of the Committee of the Whole, reported progress and asked leave to sit again to-morrow morning.

Leave was granted.

On motion of Mr. Davis, the House adjourned until to-morrow morning at 9 o'clock.

SEVENTY-EIGHTH DAY—SATURDAY, April 12, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

Mr. Larimore was reported sick.

Mr. Ballew was reported sick.

Leave of absence was granted Mr. Lesueur for two days.

Leave of absence was granted Mr. Dougherty for five days.

Leave of absence was granted Mr. Spring for three days.

Mr. Mudd of St. Louis presented a petition from citizens of St. Louis, praying the Legislature not to amend or alter the stock law, approved April 11, 1877; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Carroll introduced bill No. 670, entitled An act providing for the election of criminal sheriff in cities of a population of three hun-

dred thousand inhabitants; which was read the first time and laid over.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers;

Also, House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers for boarding prisoners; which was read.

Mr. Riley introduced bill No. 673, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2, at St. Joseph, and to appoint commissioners to superintend the erection of the same; which was read the first time and laid over.

Leave of absence was granted Mr. Bashaw for one day.

Leave of absence was granted Mr. Settles for four days.

Mr. Younger introduced bill No. 671, entitled An act in relation to locating and establishing roads, and to repeal all act and parts of acts inconsistent therewith; which was read the first time and laid over.

Mr. Foster introduced bill No. 672, entitled An act for the protection of libraries and museums; which was read the first time and laid over.

Senate substitute No. 1 for Senate bill No. 101, entitled An act to revise and amend chapter 35 of the General Statutes of the State of Missouri, concerning the organization of counties; was called up and read the first time.

Senate substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State; was called up and read the first time.

Senate substitute for Senate bills Nos. 86 and 207, entitled Acts to revise and amend title 4, chapter 10 of the General Statutes of the State of Missouri, concerning the treasury department; was called up and read the first time.

Senate substitute No. 18 for Senate bill No. 52, entitled An act to revise and amend chapter 150 of the General Statutes of the State of Missouri, concerning actions on penal bonds; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

Senate bill No. 276, entitled An act to amend an act to establish three terms a year of the circuit court at La Plata, Macon county,

Missouri, approved April 28th, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 663, entitled An act to regulate the business of fire insurance in the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

House bill No. 664, entitled An act to require pawnbrokers to pay a State license; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 665, entitled An act allowing ex-county collectors and their attorneys, one half of the commissions on judgments obtained in suits on back taxes by them; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 666, entitled An act to appropriate money for repairs of fences, and inclosures of the Capitol grounds; was called up, read the second time, and, on motion, referred to the Committee on Permanent Seat of Government.

House bill No. 667, entitled An act to amend section 28 of article 2, and sections 1, 2 and 15 of article 4, and section 3 of article 7, of an act entitled an act to incorporate cities of the first class, approved May 23rd, 1877; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 668, entitled An act requiring certain officers to pay over fees to the treasurer of certain municipalities; which was read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 669, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 54 of Wagner's Statutes, acts of 1875, by adding another section prescribing penalties, etc.; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 561, entitled An act to authorize the board of trustees of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Berry, Berryman, Bohannon, Bonham, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey

Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McGarry, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Powell, Price, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Wells, Weygandt, Wiley, Wisby and Mr. Speaker—98.

NOES—Messrs. Alldridge, Beckner, Dade and McElvain—4.

ABSENT—Messrs. Bashaw, Brady, Dilley, Finks, Hall, Hale, Haynes, Kendall, Mudd of Lincoln, O'Malley, Patterson of Schuyler, Pollock, Pollard, Rawlings, Smith of Cedar, Spring, Vancleve, Warren, Whitaker, Withers and Younger—21.

ABSENT WITH LEAVE—Messrs. Booth, Dougherty, Drum, Dryden, Ham, Lesueur, McDaniel, McIntyre, Organ, Patterson of Linn, Powers, Settles and Windes—13.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Larimore, Maynard, Souder and Tiernan—7.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Harrison, Hynes, Helma, Ingram, Johnson, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McGarry, McKinney, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Wells, Weygandt, Whitaker, Wiley, Wisby, Younger and Mr. Speaker—98.

NOES—Messrs. Alldridge, Beckner and McElvain—3.

ABSENT—Messrs. Bashaw, Dilley, Finks, Hale, Haynes, Hubbard, Kendall, Miles, Mudd of Lincoln, McCormick of St. Louis city, McKill, O'Malley, Patterson of Schuyler, Pollock, Saunders, Smith of Cedar, Spring, Swank, Vancleve, Waggener, Warren and Withers—22.

ABSENT WITH LEAVE—Messrs. Booth, Dougherty, Drum, Dryden, Ham, Lesueur, McDaniel, McIntyre, Organ, Patterson of Linn, Powers, Settles and Windes—13.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Larimore, Maynard, Souder and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Berryman moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dade introduced bill No. 674, entitled An act to provide for the payment of county warrants, issued up to the date of the passage of this act, and supplemental; which was read the first time, and laid over.

Mr. Bowman introduced bill No. 675, entitled An act requiring county courts to pay county assessors for listing dogs for the years 1877 and 1878; which was read the first time, and laid over.

House bill No. 144, entitled An act to authorize counties for themselves, and in behalf of townships therein, and cities and towns to compromise and redeem, or fund their debts; was called up.

Mr. Chilton moved to reconsider the vote by which the bill was ordered to engrossment and printing.

Mr. Farr moved that the further consideration of the bill be postponed until Thursday, April 17; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto to be known as section 22, beg leave to report that they have considered the same and report it back with amendments, without recommendation; which was read.

House bill No. 470; was taken up, with amendments, recommended by the Committee on Ways and Means.

Mr. Farr moved that the bill and amendments be printed for information; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and to regulate the same, and to repeal certain acts and parts of acts, beg leave to report that they have considered the same, and report it back, without recommendation; which was read.

House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts; was taken up, and, on motion, referred to the St. Louis Delegation.

Mr. Lackland introduced bill No. 676, entitled An act to enforce the liability of heirs and devisees for debts of their intestate or testator; which was read the first time and laid over.

Mr. Settles introduced bill No. 677, entitled An act to prevent the removal of their general offices and machine shops by certain railroad companies, unless such companies consent to have their property subjected to taxation, under the general railroad law of this State, for State and county purposes; which was read the first time and laid over.

Mr. Hall offered the following resolution :

Resolved, That the Clerk be instructed to forward to the printer, for printing, the testimony taken by the special committee relating to fees, the order of the House being that the testimony be printed as part of the committee's report; which was read and adopted.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

Mr. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 490, entitled An act to provide for the payment of the wages of labor in the lawful money of the United States, beg leave to report that they have considered the same, and report it back, with amendments, without recommendation; which was read.

House bill No. 490; was taken up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend section 1, line 2 of written bill, by striking out the words "person, firm, or;" which was read and agreed to.

Amendment No. 2—Amend section 2, line 2 of written bill, by striking out the word "employer," and insert in lieu thereof the word "corporation;" in line 6, same section, strike out the word "employer," and insert in lieu thereof the word "corporation;" which was read and agreed to.

Amendment No. 3—Amend section 3, line 1 of written bill, by striking out the words "person, firm or," and insert in lieu thereof the words "officer of any;" in lines 5 and 6, strike out the words "such person, members of such firm and;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7, east of the fifth principal meridian, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted; which was read.

House bill No. 608; was taken up, with the following amendment recommended by the St. Louis Delegation:

Amend section 1, by striking out the words "held by the State of Missouri for the support of schools in said township," and by adding at the end of section 1, the following words: "For the use and support of public schools in said township;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Foster, from the St. Louis delegation, submitted the following report:

MR. SPEAKER:—Your Committee of St. Louis Delegation, to whom was referred House bill No. 296, entitled An act to amend section 87 [86] of an act entitled an act concerning the assessment and collection of its revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis by the city, State and schools, beg leave to report that they have considered the same without recommendation; which was read.

House bill No. 296 was taken up, and, on motion, ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 521, entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating same, approved April 27, 1877, by reducing the maximum number of days each person is liable to work on public roads from six days to three days, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 521 was taken up.

Mr. Taylor offered the following amendment:

Amend by inserting the word "four" in lieu of "three;" which was read and agreed to.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the bill, as amended, was ordered engrossed and printed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Bonham, Bowman, Brewer, Bryan, Burrows, Carleton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox, Creager, Crow, Dade, Dawson, Diercks, Ellis, Ewing, Farr, Foster, Gray, Hayes, Hall, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Lockhart, Lynn, Mahn, Morrison, Mudd of St. Louis, McCormick of St. Louis city, McKinney, Pepper, Phelan, Powell, Price, Rawlings, Riley, Talbot, Taylor, Tevis, Turner, Weygandt and Whitaker—55.

NOES—Messrs. Arnold, Brown, Chenoweth, Chilton, Cock, Cooper, Cowan of Holt, Craig, Dale, Freed, Greer, Hammons, Ingram, Johnson, Louthan, Mabrey, Mackey, Miles, Moler, McElvain, McKill, Palmer, Pehle, Pollard, Ragan, Reynolds, Smith of Cedar, Wells and Mr. Speaker—29.

ABSENT—Messrs. Berry, Berryman, Boulware, Brady, Burford, Campbell of Atchison, Carroll, Crowther, Davis, Dilley, Gwynne, Hale, Haynes, Harrigan, Kendall, Knight, Lackland, Manistre, Mott, McCormick of Washington, McGarry, Patterson of Schuyler, Pollock, Saunders, Smith of St. Louis city, Swank, Vancleve, Waggener, Wiley, Wisby, Withers and Younger—32.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Booth, Dougherty, Drum, Dryden, Finks, Ham, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Powers, Settles, Spring and Windes—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Larimore, Maynard, Souder, Tiernan, and Warren—8.

The Speaker, in pursuance of authority invested in him by section 5 of article 2 of the rule of the House, appointed Mr. Farr as Speaker *pro tem.*, to preside over the deliberations of the House on Monday and Tuesday, April 14th and 15th inst.

Leave of absence was granted to Mr. Mudd of Lincoln for five days.

Leave of absence was granted to Mr. O'Malley for three days.

On motion of Mr. Foster, the House adjourned until Monday morning at 9 o'clock.

SEVENTH-NINTH DAY—MONDAY, April 14, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Farr, acting Speaker *pro tem.*, in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Mr. McCormick of St. Louis city introduced bill No. 678, entitled An act providing the maximum compensation of sheriffs of municipalities of this State; which was read the first time and laid over.

Mr. Alldridge introduced bill No. 679, entitled An act to prevent fraud and to protect the public health; which was read the first time and laid over.

Mr. Carleton introduced bill No. 680, entitled An act to regulate the practice of medicine and surgery in Pemiscot county; which was read the first time and laid over.

Mr. Pehle introduced bill No. 681, entitled An act to amend section 13, chapter 7 of the General Statutes of Missouri; which was read the first time and laid over.

Mr. Kendall introduced bill No. 682, entitled An act to amend an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read the first time and laid over.

Mr. Burford introduced bill No. 683, entitled An act authorizing the payment of unpaid salary due Thos. B. English, deceased, late judge of the tenth judicial circuit of Missouri; which was read the first time and laid over.

Mr. Burford introduced bill No. 684, entitled An act fixing the rate of interest at not more than six per cent. upon loans secured by real estate; which was read the first time and laid over.

Mr. Mabrey introduced bill No. 685, entitled An act to provide for the election of judges of the circuit courts for each of the judicial circuits in the State, as created, organized and numbered by the 30th General Assembly of the State of Missouri, approved April —, 1879; which was read the first time and laid over.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 499, entitled An act relating to deposits to be made by foreign insurance companies, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 499 was taken up, and the House refused to order the bill to engrossment and printing.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into, and passed the Senate, substitutes Nos. 2 and 3 for Senate bill No. 101, entitled An act to revise and amend chapters 36 and 37 of the General Statutes, concerning county buildings and the removal of county seats, and county contracts and suits by and against counties;

Also substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name;

Also substitute No. 2 for Senate bill No. 100, entitled An act to revise and amend an act entitled an act to provide for the government of cities of the third class;

Also substitute No. 12 for Senate bill No. 82, entitled An act to revise and amend chapter 101 of the General Statutes, concerning mills and milldams;

Also that the Senate has taken up and concurred in House amendments to Senate bill No. 177, entitled An act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto new sections, numbered 42, 43, 44, 45 and 46;

Also that the Senate has taken up substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment, and has concurred in House amendment No. 1, and disagreed to House amendment No. 2 thereto, and request the House to recede therefrom;

Also that the Senate has taken up, amended and adopted House amendment No. 1 to substitute No. 26 for Senate bill No. 52, and request the House to concur therein, and that the Senate has refused to concur in House amendments Nos. 2 and 3, as follows:

Amendment No. 2—Insert after section 1, as amended, a new section, to be numbered 2, and to read as follows:

SECTION 2. If the judge is interested or related to either party, or shall have been of counsel in the cause, the court or judge shall award such change of venue without any application from either party, unless all the parties in the cause consent that such judge may sit on the trial thereof, or a special judge for the trial thereof be agreed upon by the parties, or elected in the manner provided by law.

Amendment No. 3—Amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, respectively, by changing the numbers thereof, respectively, from 2, 3, etc., to 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, and request the House to recede therefrom; which was read.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 637, entitled An act to amend section 7 of article 1 of chapter 76, Wagner's Statutes, entitled insurance department, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 637; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 251, entitled An act to render insurance companies other than life, responsible for the acts of their agents, and House bill No. 280, entitled An act in relation to fire insurance, and House bill No. 227, entitled An act in relation to misrepresentations in obtaining policies in fire insurance companies, etc., beg leave to report that they have considered the same, and submit the accompanying substitute without recommendation; which was read.

House bills Nos. 251, 280 and 277; were taken up, with the substitute submitted by the Committee on Insurance, entitled An act in relation to insurance other than life.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Leave of absence was granted Mr. Smith of St. Louis city for three days.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 495, entitled An act concerning the fees paid sheriffs, marshals and other officers for boarding prisoners, and find the same truly and correctly enrolled; which was read.

House bill No. 495; was taken up, read at length by the Clerk, signed by the acting Speaker *pro tem.* without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 222, entitled An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers, and find the same truly and correctly enrolled; which was read.

House bill No. 222; was taken up, read at length by the Clerk, signed by the acting Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Saunders introduced bill No. 686, entitled An act to create a State board of health and vital statistics for the State of Missouri; which was read the first time and laid over.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 559, entitled An act to amend an act entitled an act to amend section 52 of chapter 34 of the General Statutes of Missouri, the same being section 52 of chapter 39 of Wagner's Statutes of 1872; and also section 1 of an act entitled an act amendatory of chapter 34, title 11 of the General Statutes of the State of Missouri, approved March 24, 1868, so far as the same applies to Miller county only, the same being section 83 of chapter 39 of Wagner's Missouri Statutes of 1872, approved March 29, 1875, and to provide for an election in Miller and Camden counties, upon the proposition to strike off a portion of Miller county and to add the same to Camden county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of State and county revenue, approved May 2, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 380, entitled An act to protect owners of live stock, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments offered; which was read.

House bill No. 380; was taken up, with the following amendments recommended by the Committee on Agriculture:

Amendment No. 1—Amend section 1 by striking out the words, "between the first day of April and the first day of November, in each year;" which was read and agreed to.

Amendment No. 2—Amend section 2 by striking out the words, "during the period prescribed in the preceding section;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred substitute No. 1 for Senate bill No. 82, entitled An act to revise and amend chapter 100 of the General Statutes of Missouri, concerning weights and measures, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 1 for Senate bill No. 82; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther; Dale, Dawson, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hammons, Haynes, Harrington, Harrison, Johnson, Kendall, Kneisley, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKinney, Palmer, Pehle, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Souder, Swank, Talbot, Tevis, Turner, Wells, Weygandt, Whitaker, Windes, Wisby and Younger—84.

NOES—Messrs. Cowan of Christian, Dade, Hynes and Ingram—4.

ABSENT—Messrs. Andrews, Brady, Burford, Carleton, Carroll, Chilton, Cock, Davis, Diercks, Dilley, Ewing, Gwynne, Hale, Harrigan, Hubbard, Helm, Lackland, Manistre, Miles, Mudd of St. Louis, McGarry, McKill, Patterson of Schuyler, Pepper, Pollock, Ragan, Smith of Cedar, Taylor, Vancleve, Waggener, Wiley and Withers—32.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles, Smith of St. Louis city, Spring and Mr. Speaker—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Larmore, Maynard, Tiernan and Warren—7.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House joint and concurrent resolution No. 49, entitled Joint and concurrent resolution authorizing the Governor and Attorney-General to appoint an attorney to prosecute certain claims against the Government of the United States, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 49; was taken up, and, on motion, ordered engrossed and printed.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 585, entitled An act to amend section 7 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they considered the same, and recommend that it do not pass; which was read.

House bill No. 585; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred House bill No. 390, entitled An act to amend section 11 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 390; was taken up, and, on motion, ordered engrossed and printed.

Mr. Arnold offered the following resolution:

Resolved, That the Chief Clerk be instructed to inform the Senate that the Speaker has appointed the Hon. Finis C. Farr acting Speaker of the House, under section 5, article 2, Rules of the House of Representatives; which was read and adopted.

Mr. Lockhart offered the following resolution:

Resolved, That in the reports of Committee on Revised Bills they be requested to report all the amendments made to the present law, and as to whether such amendments are House or Senate amendments, and whether such amendments have been adopted by the Senate and House; which was read and adopted.

Mr. Windes called up his motion to reconsider the vote by which the House refused to order House bill No. 431 to engrossment and printing.

The question being upon agreeing to the motion to reconsider the vote by which the House refused to order the bill to engrossment and printing; it was not agreed to.

Mr. Carleton introduced bill No. 687, entitled An act to amend an act entitled an act to provide for the registration of bonds issued by counties, cities and incorporated towns, and to limit the issue thereof, approved March 30, 1872, which amending act was approved March 22, 1875; which was read the first time and laid over.

House bill No. 670, entitled An act providing for the election of criminal sheriff in cities of a population of three hundred thousand inhabitants; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 671, entitled An act in relation to locating and establishing roads, and to repeal all acts and parts of acts inconsistent therewith; was called up, read the second time, and, on motion, referred to the Committee on Roads and Highways.

House bill No. 672, entitled An act for the protection of libraries and museums; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

House bill No. 673, entitled An act to appropriate money to rebuild Asylum No. 2, and to appoint commissioners to superintend the erection of the same; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 674, entitled An act to provide for the payment of county warrants issued before the passage of this act and supplemental; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 675, entitled An act requiring county courts to pay county assessors for listing dogs for the years 1878 and 1879; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 676, entitled An act to enforce the liability of heirs and devisees for debts of their intestate or testators; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 677, entitled An act to prevent the removal of their general offices and machine shops, by certain railroad companies, unless such companies consent to have their property subjected to taxation under the general railroad law of this State, for State and county purposes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lockhart, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt and Wisby—87.

NOES—Mr. Souder—1.

ABSENT—Messrs. Beckner, Berry, Burford, Campbell of Atchison, Carroll, Chilton, Cock, Cowan of Christian, Dade, Davis, Diercks, Dilley, Ewing, Harrigan, Hubbard, Ingram, Manistre, Mabrey, Morrison, Mudd of St. Louis, McGarry, Patterson of Schuyler, Pollock, Smith of St. Louis city, Spring, Taylor, Warren, Whitaker, Wiley, Windes, Withers and Younger—32.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles, Smith of Cedar and Mr. Speaker—16.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore, Maynard and Tiernan—7.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Hynes, Haynes, Harrigan, Helm, Harrison, Ingram, Johnson, Kendall, Kneisley, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wisby and Younger—97.

ABSENT—Messrs. Burford, Carroll, Chilton, Cock, Davis, Dawson, Diercks, Dilley, Ewing, Harrington, Hubbard, Manistre, Mudd of St. Louis, McGarry, Patterson of Schuyler, Pollock, Souder, Smith of St. Louis city, Spring, Taylor, Warren, Wiley, Windes and Withers—24.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles and Mr. Speaker—15.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore, Maynard and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Brady was reported sick.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report :

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent therewith, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 484; was taken up, with the following amendments recommended by the Committee on Criminal Jurisprudence :

Amendment No. 1—Amend by inserting after the word, "impurity," in the 12th line of section 2, the words, "to inspect all whisky, wines and other alcoholic liquors by whatever name known, which

may be manufactured or offered for sale within the city or town for which he may be appointed, and which have not been inspected and branded by any other inspector of this State;" which was agreed to.

Amendment No. 2—Also, by adding at the end of section 3 the words, "and shall also affix his brand or device upon each package by him inspected, designating his name, place and month of inspection, thus: —, inspector, of —, 18—;" which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Mr. Dryden introduced bill No. 688, entitled An act to amend sections 2 and 5 of an act to apportion the State into congressional districts, approved April 26, 1877; which was read the first time and laid over.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of the State of Missouri, and all acts amendatory thereto, relating to juries, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 556, entitled An act to encourage the capture of horse and mule thieves, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 414, entitled An act to prevent the destruction of timber on non-resident lands, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 460, entitled An act to repeal sections 3 and 4 of an act entitled an act to promote the payment of jurors in St. Louis county, approved January 29, 1847, and section 19 of an act entitled an act to provide for the reorganization of the St. Louis circuit court, and regulate proceedings therein, approved December 19, 1865, beg leave to report that they have examined the same, and find it truly

engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 625, entitled An act authorizing the appointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for his compensation, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 617, entitled An act to authorize the employment of convicts for the improvement of the Agricultural and Mechanical College Farm of the State of Missouri, beg leave to report that they have considered the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House bill No. 156, entitled An act to provide for the formation of drainage districts, to reclaim and drain swamp and overflowed lands of the State; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Dale, Dawson, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Helm, Kneisley, Knight, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Swank, Talbot, Turner, Vancleve, Waggener, Wells, Weygandt, Windes and Wisby—79.

NOES—Messrs. Alldridge, Andrews, Beckner, Bonham, Cowan of Christian, Craig, Dade, Ingram, Morrison, Pehle and Younger—11.

ABSENT—Messrs. Burford, Campbell of Atchison, Carroll, Chilton, Cock, Crowther, Davis, Diercks, Dilley, Ewing, Harrigan, Hubbard, Hynes, Johnson, Kendall, Louthan, Manistre, Mudd of St. Louis, McGarry, Patterson of Schuyler, Pepper, Powell, Souder, Smith of

St. Louis city, Spring, Taylor, Tevis, Warren, Whitaker, Wiley and Withers—31.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles and Mr. Speaker—15.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore, Maynard and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Arnold moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Hynes moved to reconsider the vote by which the House failed to adopt the emergency clause to Senate bill No. 151; which was agreed to.

The question recurring upon the adoption of the emergency clause,

The roll was called, and the House again failed to adopt the emergency clause by the following vote :

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Rawlings, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Windes, Wisby and Younger—94.

NOES—Messrs. Alldridge, Andrews, Powell and Whitaker—4.

ABSENT—Messrs. Beckner, Bowman, Burford, Carroll, Chilton, Cock, Davis, Diercks, Dilley, Ewing, Harrigan, Hubbard, Kendall, Manistre, Mudd of St. Louis, McGarry, Patterson of Schuyler, Smith of St. Louis city, Spring, Taylor, Warren, Wiley and Withers—23.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles and Mr. Speaker—15.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore, Maynard and Tiernan—7.

Mr. Powers introduced bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county; which was read the first time and laid over.

Mr. Pepper introduced bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them; which was read the first time and laid over.

Mr. Dawson introduced a concurrent resolution, entitled Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the State Constitution in relation to the issue and sale of four per cent. non-taxable renewal bonds, for the purpose of redeeming the bonds of the State of Missouri as rapidly as they may become due or redeemable; which was read the first time and laid over.

Mr. Dawson introduced a concurrent resolution, entitled Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the Constitution in relation to the jurisdiction of the St. Louis Court of Appeals; which was read the first time and laid over.

Substitute for House bill No. 176, entitled An act to amend section 28 of chapter 206 of the General Statutes of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Pehle, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wisby and Younger—93.

NOES—Messrs. Kneisley, Phelan and Windes—3.

ABSENT—Messrs. Arnold, Burford, Carroll, Cock, Davis, Diercks, Dilley, Ewing, Harrigan, Hubbard, Manistre, Mudd of Lincoln, Mudd of St. Louis, McGarry, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Smith of St. Louis city, Spring, Taylor, Warren, Whitaker, Wiley, Windes, Withers and Mr. Speaker—28.

ABSENT WITH LEAVE--Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, McDaniel, McIntyre, Organ, Patterson of Linn and Settles—12.

SICK--Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore, Maynard and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 517, entitled An act in relation to nursery stock, the growth of this State, and non-exemption of certain property; was called up, read the third time, and passed by the following vote:

AYES--Messrs. Andrews, Bonham, Bowman, Bryan, Burrows, Cloud, Cooper, Craig, Freed, Harrington, Johnson, Ragan, Riley, Reynolds and Wells—15.

NOES--Messrs. Adams, Alldridge, Arnold, Bashaw, Beckner, Berry, Booth, Boulware, Brewer, Brown, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Dawson, Ellis, Farr, Finks, Foster, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hynes, Helm, Ingram, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Saunders, Souder, Smith of Cedar, Talbot, Tevis, Turner, Waggener, Weygandt, Whitaker, Windes and Younger—78.

ABSENT--Messrs. Berryman, Bohannon, Burford, Carroll, Chilton, Cock, Davis, Diercks, Dilley, Ewing, Gwynne, Harrigan, Hubbard, Kendall, Knight, Manistre, Maynard, Mudd of St. Louis, McGarry, Patterson of Schuyler, Smith of St. Louis city, Spring, Swank, Taylor, Vancleve, Warren, Wiley, Wisby and Withers—29.

ABSENT WITH LEAVE--Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Lesueur, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles and Mr. Speaker—15.

SICK--Messrs. Ballew, Brady, Campbell of St. Louis city, Dodson, Larimore and Tiernan—6.

Mr. Hammons moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 86 and 207, entitled An act to revise and amend title 4, chapter 10 of the General Statutes of the

State of Missouri, concerning the Treasury department; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute No. 1 for Senate bill No. 101, entitled An act to revise and amend chapter 35 of the General Statutes of the State of Missouri, concerning the organization of counties; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

Senate substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

On motion of Mr. Foster, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Farr, acting Speaker *pro tem.*, in the chair.

Mr. Smith of Cedar, reported sick.

Mr. Withers reported sick.

Mr. Creager reported sick.

House bill No. 255, entitled An act to amend an act entitled an act to amend sections 14 and 17 of chapter 2 of the General Statutes of Missouri, relating to elections, the same being sections 14 and 17 of chapter 51 of Wagner's Statutes, approved March 18, 1875; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dawson, Dilley, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Hammons, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lesneur, Lockhart, Louthan, Mahn, Moler, Morrison, McCormick of Washington, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Riley, Reynolds, Saunders, Talbot, Turner, Wells, Weygandt, Whitaker and Wisby—76.

NOES—Messrs. Bowman, Cooper, Dale, Freed, Mabrey and Miles—6.

ABSENT—Messrs. Boulware, Brown, Burford, Carroll, Chilton, Cock, Davis, Diercks, Greer, Hale, Haynes, Harrigan, Johnson, Knight, Lynn, Mackey, Manistre, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, Patterson of Schuyler, Pollard, Powell, Rawlings, Souder, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Vancleve, Waggener, Warren, Wiley, Windes and Younger—37.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Settles and Mr. Speaker—14.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Smith of Cedar, Tiernan and Withers—10.

The title of the bill was then read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion on the table; which was agreed to.

House bill No. 408, entitled An act to pay for outstanding Union military bonds; was taken up.

On motion of Mr. Wells, the further consideration of the bill was postponed, and made the special order for Friday, April 18th.

House bill No. 477, entitled An act to repeal section 5 of chapter 6 of Wagner's Missouri Statutes, entitled "Animals, restraint of stallions, rams, bulls, boars, and diseased animals," and renumbering other sections of said chapter; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Bashaw, Berry, Berryman, Bohannon, Bowman, Bryan, Carroll, Chitwood, Coleman, Craig, Crow, Dawson, Ellis, Farr, Finks, Gray, Greer, Hall, Hale, Hynes, Johnson, Kendall, Kneisley, Mabrey, Pollock, Powers, Riley, Wells, Whitaker, Windes and Wisby—31.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Bonham, Booth, Boulware, Brown, Burrows, Campbell of Atchison, Carleton, Chenoweth, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Crowther, Dade, Dale, Dilley, Ewing, Freed, Gwynne, Hayes, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Lesueur, Lockhart, Louthan, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Palmer, Pehle, Pepper, Phelan, Powell, Ragan, Rawlings, Saunders, Talbot, Tevis, Turner and Weygandt—60.

ABSENT—Messrs. Brewer, Burford, Chilton, Cock, Davis, Diercks, Foster, Haynes, Harrigan, Knight, Lynn, Manistre, McCormick of St. Louis city, McGarry, Pollard, Price, Reynolds, Souder, Smith of St. Louis city, Spring, Swank, Taylor, Vancleve, Waggener, Warren, Wiley and Younger—27.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Mudd of Lincoln, McDaniel, McIntyre, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—15.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Smith of Cedar, Tiernan and Withers—10.

House bill No. 479, entitled An act to repeal section 2 of an act entitled an act in relation to the public institutions of the State, approved April 28th, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Behannon, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Dawson, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Palmer, Pehle, Phelan, Pollock, Powell, Powers, Ragan, Rawlings, Riley, Reynolds, Saunders, Swank, Talbot, Tevis, Vancleve, Wells, Weygandt and Whitaker—83.

NOES—Messrs. Campbell of Atchison, Dilley, Hynes, Pepper, and Turner—5.

ABSENT—Messrs. Adams, Bonham, Booth, Burford, Chilton, Cock, Davis, Diercks, Gwynne, Haynes, Harrigan, Kendall, Knight, Louthan, Manistre, Morrison, McCormick of St. Louis city, McGarry, O'Malley, Pollard, Price, Souder, Taylor, Waggener, Wiley, Windes, Wisby and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Mudd of Lincoln, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles, Smith of St. Louis city, Spring and Mr. Speaker—16.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Smith of Cedar, Tiernan, Warren and Withers—11.

The title of the resolution was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 496, entitled An act for the payment of lost defense warrants; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Carleton, Cowan of Holt, Craig, Crowther, Dilley, Farr, Foster, Harrington, Mabrey, Mackey, Mahn, Mott, Mudd of St. Louis, O'Malley, Phelan, Pollock. Powers, Ragan and Saunders—19.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cox, Crow, Dade, Dale, Dawson, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Miles, Morrison, McCormick of Washington, McElvain, McKill, McKinney, Pehle, Powell, Price, Rawlings, Riley, Reynolds, Swank, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Whitaker, Windes and Wisby—72.

ABSENT—Messrs. Bashaw, Bowman, Burford, Chilton, Cock, Cowan of Christian, Davis, Diercks, Haynes, Harrigan, Ingram, Kendall, Knight, Manistre, Moler, McCormick of St. Louis city, McGarry, Palmer, Pepper, Souder, Taylor, Waggener, Wiley and Younger—25.

ABSENT WITH LEAVE—Messrs. Anderson, Dougherty, Drum, Dryden, Ham, Lackland, Mudd of Lincoln, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles, Smith of St. Louis city, Spring and Mr. Speaker—16.

SICK—Messrs. Ballew, Brady, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Smith of Cedar, Tiernan, Warren and Withers—11.

On motion of Mr. Arnold, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTIETH DAY—TUESDAY, April 15, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Farr, acting Speaker *pro tem.*, in the Chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Knight, the further reading was dispensed with.

Mr. Ellis presented a petition from citizens of Nodaway county, praying the Legislature to extend the time of railroad charters about

to expire ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Harrington presented petitions from citizens of Adair county, praying the Legislature to extend the time of railroad charters about to expire ; which was read, and, on motion referred to the Committee on Internal Improvements.

Mr. Harrington presented a petition from citizens of Knox county, praying the Legislature to extend the time of railroad charters about to expire ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Craig presented a petition from citizens of Sullivan county, praying the Legislature to extend the time of railroad charters about to expire ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Craig presented a remonstrance from citizens of Sullivan county, against the passage of a bill now pending before the General Assembly, extending the time allowed railroad companies in which to complete their roads ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Knight presented petitions from citizens of Harrison county, praying the Legislature to extend the time of railroad charters about to expire ; which were read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Lockhart presented a petition from citizens of Grundy county, praying the Legislature to extend the time of railroad charters about to expire ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Craig presented a petition from citizens of Sullivan county, praying the Legislature to pass such laws as will renew the charter of the I. M. & P. R. R., and other meritorious ones ; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Ragan offered the following resolution :

Resolved, That the carpenter of this General Assembly be allowed the same pay as the pages and House cleaners are allowed, to date from February 1, 1879 ; which was read and adopted.

Mr. Dade offered the following resolution :

WHEREAS, By authority of the General Assembly, the State of Missouri loaned its credit and issued its bonds for \$3,000,000 to aid in the construction of the Hannibal and St. Joseph Railroad ; and

WHEREAS, The General Assembly of the State authorized the said railroad company to mortgage said lands to raise money to complete said railroad ; providing nevertheless, that the surplus proceeds

of said lands or securities should be paid into the treasury of the State, on account of said bonds issued by the State; and

WHEREAS, The mortgage so authorized by the State has been for a long time paid off and discharged, a large amount of surplus money has been received by said company, and it has neglected and refused to pay the same into the treasury of the State as by its charter and contract with the State required, endangering the security of the State for the payment of \$1,500,000 of bonds, called renewal bonds, issued by said State to said company; therefore, be it

Resolved by the House of Representatives, That a committee of three of the members of this House be appointed to inquire into the acts of the said Hannibal and St. Joseph Railroad Company in withholding the monies received after the payment of the mortgage authorized upon the lands granted to aid in the construction of its railroad, from payment into the treasury of the State, as by its charter and contract required, with power to send for persons and papers and take evidence. And, that the Attorney-General of the State be authorized and required to enjoin the said railroad company from receiving any more money for or on account of any of said lands, and that the Governor of the State be authorized and required to appoint an agent for the State to receive, properly receipt for and pay into the treasury of the State all moneys thereafter paid for or on account of any of the lands granted to aid in the construction of the said Hannibal and St. Joseph Railroad; which was read and adopted.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
April 15, 1879. }

To the HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to amend section 17 of an act entitled an act to provide for the drainage and reclamation of swamp and overflowed lands, and for the protection of lands bordering on rivers, approved April 21, 1877.

An act concerning the fees paid sheriffs, marshals, and other officers for boarding prisoners.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Knight introduced a joint and concurrent resolution, entitled Joint and concurrent resolution relating to adjournment of the Thir-

tieth General Assembly; which was read the first time and laid over.

Mr. Brown introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in relation to the Hannibal and St. Joseph Railroad; which was read the first time and laid over.

Mr. Harrington introduced a joint and concurrent resolution, entitled Joint and concurrent resolution submitting a constitutional amendment decreasing the number of Representatives 41, with a minority representation; which was read the first time and laid over.

Mr. Cloud introduced bill No. 691, entitled An act in relation to barbed wire fences; which was read the first time and laid over.

Mr. Cock introduced bill No. 692, entitled An act to amend an act entitled an act to amend section 37 of an act approved March 26th, 1874, entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870; which was read the first time and laid over.

Mr. Smith of Cedar, introduced bill No. 693, entitled An act to raise State revenue; which was read the first time and laid over.

Mr. Burford introduced bill No. 694, entitled An act amendatory of section 5 of an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 28th, 1877; which was read the first time and laid over.

Mr. Wiley introduced bill No. 695, entitled An act to provide for the election of transfer clerks, and to define their powers and duties, and making county surveyors ex-officio transfer clerks; which was read the first time and laid over.

Mr. Cox introduced bill No. 696, entitled An act to provide for the exercise of the right of voting; which was read the first time and laid over.

Mr. McGarry introduced bill No. 697, entitled An act to make malicious libel a felonious offense, and to provide for the punishment of the same; which was read the first time and laid over.

Mr. Lesueur introduced bill No. 698, entitled An act to amend chapter 117 of the General Statutes of Missouri, concerning masters, apprentices and servants, by adding thereto a new section; which was read the first time and laid over.

Mr. Mudd of St. Louis county, introduced bill No. 699, entitled An act to aid the State Horticultural Society in making exhibition of the products of Missouri at the National Exposition to be held at Nashville, Tennessee; which was read the first time and laid over.

Mr. Foster introduced bill No. 700, entitled An act in relation to the separate property of married women; which was read the first time and laid over.

Mr. Foster introduced bill No. 701, entitled An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants; which was read the first time and laid over.

House bill No. 678, entitled An act providing the maximum compensation of sheriffs in municipalities of this State; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 679, entitled An act to prevent fraud and to protect the public health; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House Bill No. 680, entitled An act to regulate the practice of medicine and surgery in Pemiscot county; was called up, read the second time, and, on motion, referred to the Committee on Local Bills.

House bill No. 681, entitled An act to amend section 13, chapter 7 of the General Statutes of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 682, entitled An act to amend sections 15 and 45 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thomas B. English, deceased, late judge of the tenth judicial circuit; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 684, entitled An act fixing the rate of interest at not more than six per cent. upon loans secured by real estate; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House bill No. 685, entitled An act to provide for the election of judges of the circuit court for each of the judicial circuits in the State, as created, organized and numbered by the Thirtieth General Assembly of the State of Missouri, approved April, 1879; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 686, entitled An act to create a State board of health, and vital statistics for the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 687, entitled An act to repeal section 1 of an act to amend an act entitled an act to provide for the registration of bonds issued by counties, cities and incorporated towns, and to limit the issue thereof, approved March 30, 1872, which amendatory act was approved March 22, 1875; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 688, entitled An act to amend sections 2 and 5 of an act to apportion the State into Congressional districts, approved April 26, 1877; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county; was called up, read the second time, and, on motion, referred to the Committee on Claims.

House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them; was called up, read the second time, and on motion, referred to the Committee on Agriculture.

House concurrent resolution No. 51, entitled Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the Constitution in relation to the jurisdiction of the St. Louis court of appeals; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

House concurrent resolution No. 52, entitled Concurrent resolution submitting to the legal voters of the State of Missouri, an amendment to the State Constitution in relation to the issue and sale of four per cent., non-taxable, renewal bonds, for the purpose of redeeming the bonds of the State of Missouri as rapidly as they become due or redeemable; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Palmer moved to reconsider the vote by which Senate bill No. 277 was laid on the table, Friday last.

The question being upon agreeing to the motion to reconsider, the ayes and noes were demanded, and the motion to reconsider was not agreed to by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Bashaw, Berryman, Booth, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchi-

son, Carleton, Carroll, Cloud, Cock, Collins, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Dougherty, Drum, Dryden, Ewing, Farr, Foster, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Palmer, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Wisby and Younger—73.

NOES—Messrs. Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Chitwood, Cook, Cooper, Cowan of Christian, Dade, Dale, Dawson, Ellis, Finks, Freed, Gray, Greer, Hale, Harrison, Hynes, Ingram, Johnson, Kneisley, Mackey, Manistre, Miles, McCormick of Washington, McElvain, McKill, McKinney, Pehle, Pepper, Pollard, Powell, Souder, Smith of Cedar, Spring, Swank, Talbot, Whitaker and Windes—45.

ABSENT—Messrs. Chenoweth, Chilton, Coleman, Diercks, Dilley, Kendall, Smith of St. Louis city, Taylor, Tevis and Warren—10.

ABSENT WITH LEAVE—Messrs. Lackland, McDaniel, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—7.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan and Withers—8.

Mr. Louthan presented a petition from citizens of Lewis county, praying the Legislature to pass an act extending the time for the completion of railroads organized under the general laws of the State; which was read, and, on motion, referred to the Committee on Internal Improvements.

Senate substitute No. 12 for Senate bill No. 82, entitled An act to revise and amend chapter 101 of the General Statutes of the State of Missouri, concerning mills and mill-dams; was called up, and read the first time.

Senate substitue No. 2 in part for Senate bill No. 100, entitled An act to revise and amend an act entitled an act to provide for the government of cities of the third class; was called up and read the first time.

Senate substitute No. 3 for Senate bill No. 101, entitled An act to revise and amend chapter 37 of the General Statutes of the State of Missouri, concerning county contracts and suits by and against counties; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county seats; was called up and read the first time.

Senate substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians, wards, masters, apprentices and servants, adoption of children, and change of name; was called up and read the first time.

Mr. Dade introduced bill No. 702, entitled An act to punish the illegal issuance of licenses for the sale of intoxicating liquors; which was read the first time and laid over.

House bill No. 625, entitled An act authorizing the appointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for their compensation; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chitwood, Collins, Cook, Cooper, Cowan of Christian, Cox, Crow, Crowther, Davis, Dawson, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Hubbard, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mackey, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Phelan, Pollock, Pollard, Ragan, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Talbot, Turner, Vancleve, Weygandt, Wiley and Wisby—75.

NOES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Booth, Brown, Burford, Chenoweth, Cock, Cowan of Holt, Dade, Gray, Greer, Hall, Ham, Harrison, Hynes, Helm, Ingram, Mabrey, Mahn, McElvain, Pehle, Powell, Powers, Price, Rawlings, Spring, Tevis, Waggener, Whitaker and Windes—33.

ABSENT—Messrs. Arnold, Campbell of Atchison, Chilton, Coleman, Cloud, Craig, Diercks, Dale, Dilley, Dougherty, Harrington, Louthan, Moler, Mudd of St. Louis, Patterson of Schuyler, Pepper, Smith of St. Louis city, Taylor, Warren, Wells and Younger—21.

ABSENT WITH LEAVE—Messrs. Lackland, McDaniel, Organ, Patterson of Linn, Settles and Mr. Speaker—6.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan and Withers—8.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Crow, Crowther, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hammons, Haynes, Harrigan, Hubbard, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mackey, Mahn, Morrison, Mott, Mudd of Lin-

coln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McGarry, McIntyre, McKill, O'Malley, Palmer, Phelan, Pollock, Pollard, Ragan, Riley, Reynolds, Souder, Swank, Turner, Weygandt and Wisby—65.

NOES—Messrs. Alldridge, Anderson, Andrews, Bashaw, Beckner, Bonham, Booth, Boulware, Brown, Burford, Chenoweth, Cock, Dade, Dale, Gray, Greer, Hall, Hale, Ham, Harrison, Hynes, Helm, Ingram, Mabrey, Manistre, Miles, McElvain, McKinney, Pehle, Pepper, Powell, Powers, Price, Rawlings, Smith of Cedar, Talbot, Tevis, Waggener, Whitaker and Younger—40.

ABSENT—Messrs. Campbell of Atchison, Chilton, Coleman, Cowan of Holt, Davis, Dawson, Diercks, Dilley, Dougherty, Harrington, Johnson, Kendall, Louthan, Moler, Saunders, Smith of St. Louis city, Spring, Taylor, Vancleve, Warren, Wells, Wiley and Windes—23.

ABSENT WITH LEAVE—Messrs. Lackland, McDaniel, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—7.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan and Withers—8.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table which was agreed to.

The special order being the consideration of the report, articles of impeachment and resolution submitted, presented and offered by the special committee appointed to prepare articles of impeachment against Elijah Gates, State Treasurer, was taken up, and,

On motion of Mr. Wiley, was made special order for to-morrow morning at 10 o'clock.

Mr. Burford introduced bill No. 703, entitled An act amendatory of section 9 of chapter 109 of the General Statutes of Missouri; which was read the first time and laid over.

Substitute for House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of State and county; revenue, approved May 2, 1877; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Arnold, Bashaw, Berry, Bohannon, Booth, Bowman, Brewer, Brown, Bryan, Carleton, Chenoweth, Cloud, Collins, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Diercks, Drum, Dryden, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McCormick of Wash-

ington, McGarry, McKill, McKinney, O'Malley, Palmer, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Weygandt, Wiley, Windes and Younger—82.

NOES—Messrs. Adams, Alldridge, Beckner, Brady, Burford, Carroll, Chitwood, Cook, Dale, Dawson, Lockhart, Miles, McElvain, Souder and Whitaker—15.

ABSENT—Messrs. Andrews, Berryman, Bonham, Boulware, Burrows, Campbell of Atchison, Chilton, Cock, Coleman, Cowan of Christian, Dade, Davis, Dilley, Dougherty, Finks, Harrington, Kneisley, Moler, Mudd of St. Louis, Pepper, Pollock, Saunders, Smith of St. Louis city, Taylor, Vancleve, Waggener, Warren, Wells and Wisby—29.

ABSENT WITH LEAVE—Messrs. Anderson, Lackland, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan and Withers—8.

The emergency clause was adopted by the following vote :

AYES—Messrs. Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Louthan, Lynn, Mabrey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, O'Malley, Palmer, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Wiley, Windes and Younger—101.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Brady, Lockhart, Miles, McElvain and Souder—9.

ABSENT—Messrs. Burford, Campbell of Atchison, Chilton, Coleman, Cowan of Christian, Dade, Dilley, Dougherty, Mackey, Manistre, Smith of Cedar, Smith of St. Louis city, Taylor, Waggener, Whitaker and Wisby—16.

ABSENT WITH LEAVE—Messrs. Anderson, Lackland, McDaniel, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—8.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 40, proposing to submit to a vote of the people of this State an amendment to section 15 of article 10 of the Constitution, concerning the State's moneys, beg leave to report that they have considered the same, and recommend that said resolutions be not adopted; which was read.

House concurrent resolution No. 40, entitled Concurrent resolution submitting to a vote of the people, an amendment to the Constitution forbidding the loaning to or depositing in any bank of the moneys of the State; was taken up.

Mr. Louthan moved that the further consideration of the resolution be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone prevailed by the following vote:

AYES—Messrs. Adams, Arnold, Berryman, Booth, Bowman, Brady, Brewer, Brown, Burrows, Campbell of Atchison, Carleton, Carroll, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Dale, Dougherty, Ellis, Ewing, Farr, Foster, Finks, Freed, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Helm, Kendall, Kneisley, Knight, Louthan, Lynn, Mabrey, Mackey, Mahn, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Phelan, Pollard, Powers, Price, Rawlings, Reynolds, Saunders, Talbot, Tevis, Turner and Wisby—68.

NOES—Messrs. Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Boulware, Bryan, Burford, Chenoweth, Cooper, Cowan of Christian, Dade, Dawson, Diercks, Drum, Gray, Harrington, Harrison, Hynes, Ingram, Johnson, Lockhart, Manistre, Miles, Morrison, Mott, McKinney, Pehle, Pepper, Powell, Riley, Souder, Smith of Cedar, Swank, Wells, Weygandt, Whitaker, Wiley, Windes and Younger—41.

ABSENT—Messrs. Bashaw, Chilton, Coleman, Crowther, Davis, Dilley, Lesueur, Moler, Pollock, Ragan, Smith of St. Louis city, Spring, Taylor, Vancleve and Waggener—15.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

House bill No. 489, entitled An act to amend section 69 of chapter 118 of Wagner's Missouri Statutes, the same being section 69, acts 1871-2, approved March 30, 1872; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Beckner, Bohannon, Bonham, Boulware, Bowman, Bryan, Burrows, Chitwood, Collins, Dade, Foster, Hynes, Kendall, Knight, Moler, Powell, Price, Ragan and Reynolds—19.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Berry, Berryman, Booth, Brewer, Campbell of Atchison, Carleton, Cloud, Cock, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Pehle, Phelan, Powers, Rawlings, Riley, Saunders, Souder, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Wells, Weygandt, Wiley and Windes—79.

ABSENT—Messrs. Brady, Brown, Burford, Carroll, Chenoweth, Chilton, Coleman, Crowther, Davis, Dilley, Gray, Gwynne, Hall, Harrigan, Kneisley, Miles, Patterson of Schuyler, Pepper, Pollock, Pollard, Smith of St. Louis city, Taylor, Vancleve, Waggener, Warren, Whitaker, Wisby and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Organ, Patterson of Linn, Settles and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan and Withers—8.

Mr. Booth moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto, relating to juries; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carroll, Chenoweth, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Craig, Crow, Crowther, Dale, Davis, Dougherty, Ellis, Ewing, Farr, Foster,

Freed, Greer, Hayes, Hale, Ham, Haynes, Harrington, Harrison, Hubbard, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Pehle, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Wells and Whitaker—79.

NOES—Messrs. Arnold, Bowman, Chitwood, Cox, Dade, Dawson, Drum, Finks, Hammons, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Mabrey, McCormick of Washington, McKinney, Pepper, Souder, Weygandt, Windes and Wisby—23.

ABSENT—Messrs. Booth, Campbell of Atchison, Carleton, Chilton, Coleman, Diercks, Dilley, Gray, Gwynne, Hall, Harrigan, Miles, Mudd of St. Louis, Pollock, Pollard, Saunders, Smith of St. Louis city, Taylor, Vancleve, Waggener, Wiley and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Cowan of Holt, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 220, entitled An act authorizing the Board of Education of the city of Oregon, Holt county, Missouri, to let or lease such rooms, or portion of the public school building in said city, as are not necessary for the public school purposes, to the Board of Directors of the Northwest Missouri Normal School of said city; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Palmer, Pehle, Pepper, Phelan, Powell, Ragan, Riley, Reynolds, Saunders, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Whitaker, Wiley, Wisby and Younger—89.

NOES—Messrs. Alldridge, Boulware, Cowan of Christian, Dade, Dale, Dawson, Greer, Helm, Kendall, Louthan, Rawlings and Souder—12.

ABSENT—Messrs. Bashaw, Brady, Burford, Chilton, Cloud, Coleman, Dilley, Foster, Freed, Gwynne, Hammons, Mabrey, Miles, McElvain, Pollock, Pollard, Powers, Price, Smith of Cedar, Smith of St. Louis city, Taylor, Waggener and Windes—23.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Organ, Patterson of Linn, Patterson of Schuyler, Settles and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Wells, Weygandt, Whitaker, Wiley, Wisby and Younger—101.

NOES—Messrs. Alldridge, Boulware, Cowan of Christian, Dade, Dawson, Kendall, Louthan and Souder—8.

ABSENT — Messrs. Brady, Burford, Chilton, Coleman, Dale, Davis, Dilley, Miles, Organ, Patterson of Schuyler, Pollock, Pollard, Smith of Cedar, Taylor, Waggener and Windes—16.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city, and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, McDaniel, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Cowan of Holt moved to reconsider the vote by which the bill passed, and to lay the motion to reconsider on the table ; which was agreed to.

House bill No. 550, entitled An act to provide for the redemption of real estate sold under foreclosure of mortgage, deed of trust or execution, and to repeal all acts and parts of acts inconsistent therewith, was called up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Collins, Cook, Cowan of Christian, Craig, Crowther, Dade, Dale, Diercks, Drum, Ellis, Ewing, Farr, Finks, Gray, Hall, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Lockhart, Lynn, Mackey, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, O'Malley, Palmer, Pepper, Phelan, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Spring, Talbot, Turner, Vancleve, Wells, Whitaker, Windes, and Wisby—75.

NOES—Messrs. Bashaw, Berryman, Booth, Bowman, Brewer, Campbell of Atchison, Cock, Cooper, Cox, Crow, Dawson, Greer, Hayes, Ham, Haynes, Helm, Louthan, Mabrey, Mahn, Mudd of Lincoln, McCormick of St. Louis city, McKill, Pehle, Powers, Swank, Tevis, Waggener, Weygandt and Wiley—29.

ABSENT—Messrs. Arnold, Brady, Burford, Chilton, Coleman, Cowan of Holt, Davis, Dilley, Dougherty, Foster, Freed, Gwynne, Lesueur, Miles, Organ, Patterson of Schuyler, Pollock, Pollard, Smith of Cedar, Taylor and Younger—21.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city, and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Reynolds moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Spring introduced bill No. 704, entitled An act to amend an amendment to an act, approved March 7, 1867, which is an amendment to an act to incorporate the town of Pleasant Hill, approved March 14, 1859; which was read the first time and laid over.

Mr. Mudd of St. Louis introduced House bill No. 705, entitled An act to amend sections 49 and 66 of chapter 118 of Wagner's Missouri Statutes, entitled assessment and collection of revenue; which was read the first time and laid over.

Mr. Dawson introduced a concurrent resolution, entitled Concurrent resolution in relation to the survey of the low lands of Southeast Missouri and Northeast Arkansas by United States Engineer Corps, with the view of reclaiming said lands by drainage; which was read the first time and laid over.

On motion of Mr. Knight, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Mr. Farr, acting Speaker *pro tem.*, in the chair.

Mr. Bashaw introduced House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; which was read the first time and laid over.

Mr. Ewing introduced House bill No. 707, entitled An act to impose a tax on incomes; which was read the first time and laid over.

House bill No. 414, entitled An act to prevent the destruction of timber on non-resident lands; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Craig, Dale, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Hale, Ham, Hammons, Harrison, Hubbard, Ingram, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mahn, Manistre, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McElvain, McKinney, O'Malley, Pehle, Pepper, Phelan, Price, Ragan, Riley, Reynolds, Talbot, Taylor, Turner, Wells, Windes, Wisby and Younger—66.

NOES—Messrs. Arnold, Bashaw, Beckner, Chenoweth, Chitwood, Cowan of Christian, Crow, Dade, Gray, Greer, Hayes, Hynes, Helm, Kendall, Louthan, Mabrey, McKill, Palmer, Powell, Powers, Rawlings, Souder, Smith of Cedar, Swank, Tevis, Waggener and Weygandt—27.

ABSENT—Messrs. Andrews, Booth, Bowman, Brady, Burford, Chilton, Cox, Crowther, Davis, Dawson, Dilley, Gwynne, Hall, Haynes, Harrigan, Harrington, Johnson, Mackey, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McGarry, Organ, Pollock, Pollard, Saunders, Smith of St. Louis city, Vancleve, Whitaker and Wiley—31.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Patterson of Schuyler, Settles, Spring and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Withers and Warren—9.

Mr. Waggener moved to reconsider the vote by which the bill failed to pass.

Mr. Louthan moved to lay the motion to reconsider on the table; which was not agreed to.

The question recurring on the motion to reconsider; it was not agreed to.

House bill No. 460, entitled An act to repeal sections 3 and 4 of an act entitled an act to promote the payment of jurors in St. Louis county, approved January 29, 1847, and section 19 of an act entitled an act to provide for the reorganization of the St. Louis circuit court, and regulate proceedings therein, approved December 19, 1865; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Souder, Smith of Cedar, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Windes and Younger—102.

ABSENT—Messrs. Andrews, Beckner, Berryman, Burford, Carroll, Chilton, Crowther, Dade, Davis, Dilley, Gwynne, Harrington, Johnson, Kendall, Mackey, Miles, McGarry, Pollock, Pollard, Reynolds, Smith of St. Louis city, Wiley and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Spring and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 670, entitled An act providing for the election of criminal sheriff in cities of a population of three thousand inhabitants, beg leave to report that they have considered the same, and recommend that it be referred to the St. Louis Delegation; which was read.

House bill No. 670; was taken up, and, on motion, referred to the St. Louis Delegation.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred substitute No. 5 for Senate bill No. 82, entitled An act to revise and amend chapter 102 of the General Statutes of the State of Missouri, concerning mills and millers, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

Senate substitute No. 5 for Senate bill No. 82; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dale, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Talbot, Taylor, Vancleve, Wells, Weygandt, Whitaker, Windes, Wisby and Younger—98.

NOES—Messrs. Bowman, Ingram and Mudd of St. Louis—3.

ABSENT—Messrs. Beckner, Berry, Berryman, Booth, Burford, Chilton, Chitwood, Collins, Crowther, Dade, Davis, Piercks, Dilley, Gwynne, Kendall, Kneisley, Mackey, Miles, Pollock, Settles, Smith of St. Louis city, Spring, Tevis, Turner, Waggener and Wiley—26.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn and Mr. Speaker—7.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Wisby moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 507, entitled An act to amend an act entitled an act to regulate the charge of railroad companies, and to provide for the appointment of Railroad Commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding two new sections thereto, to be known as section 20 and section 21, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House bill No. 507 was taken up.

On motion, the further consideration of the bill was postponed until Thursday, April 17.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 583, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of Railroad Commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding a new section thereto, to be known as section 19, beg leave to report that they have considered the same, and report it back without recommendation, together with the accompanying amendment; which was read.

House bill No. 583 was taken up, with the following amendment recommended by the Committee on Internal Improvements:

Amend by striking out 19 and inserting 23 for the number of the section; which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 392, entitled An act to amend chapter 63 of the General Statutes of the State of Missouri, entitled of

railroad companies, the same being article 2 of chapter 37 of Wagner's Missouri Statutes, by adding a new section thereto, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 392 was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report :

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred substitute No. 1 for Senate bill No. 101, entitled An act to revise and amend chapter 35 of the General Statutes of the State of Missouri, concerning the organization of counties, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 1 for Senate bill No. 101; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hale, Hall, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Hubbard, Helm, Johnson, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Swank, Taylor, Tevis, Vancleve, Wells, Weygandt, Windes, Wisby and Younger—102.

NOES—Messrs. Dade, Ingram, Morrison and Souder—4.

ABSENT—Messrs. Bashaw, Burford, Chilton, Collins, Cowan of Christian, Crowther, Davis, Dilley, Gwynne, Kendall, Mackey, McCormick of Washington, Pollock, Spring, Talbot, Turner, Waggener, Whitaker and Wiley—19.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 471, entitled An act to amend sections 1 and 2 of an act entitled an act to regulate the practice of medicine and surgery in this State, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 566, entitled An act to amend chapter 204 of the General Statutes of the State of Missouri, entitled offenses by persons in office, or affecting public trusts and rights, by adding a new section thereto, to be designated as section 32, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the remains of Hon. Thos. J. Howell, late Representative, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 616, entitled An act to authorize elections for the purpose of changing and defining boundary lines between counties, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House bill No. 513, entitled An act to require the Governor to appoint committees of the General Assembly to examine the State Institutions; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Dade, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Smith of Cedar, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Weygandt, Windes, Wisby and Younger—98.

NOES—Messrs. Brady, Chitwood, Cooper, Miles, McCormick of St. Louis city, Reynolds, Souder and Taylor—8.

ABSENT—Messrs. Arnold, Bowman, Burford, Campbell of Atchison, Chilton, Cowan of Christian, Crowther, Davis, Dilley, Gwynne, Kendall, Mackey, Mudd of Lincoln, Pollock, Saunders, Spring, Wells, Whitaker and Wiley—19.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Louthan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Berryman, Bohannon, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Hynes, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Ragan, Raw-

lings, Riley, Reynolds, Saunders, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Wells, Weygandt, Windes and Wisby—80.

NOES—Messrs. Alldridge, Andrews, Beckner, Bonham, Booth, Boulware, Bowman, Brown, Burrows, Chenoweth, Cloud, Cooper, Cowan of Christian, Crow, Dade, Dale, Gray, Hammons, Hynes, Ingram, Kniesley, Miles, McKill, Pehle, Pepper, Powell, Powers, Price, Souder, Smith of Cedar and Tevis—31.

ABSENT—Messrs. Bashaw, Burford, Chilton, Crowther, Davis, Dilley, Gwynne, Kendall, Mackey, Pollock, Spring, Whitaker, Wiley and Younger—14.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Vancleve moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 539, entitled An act to amend an act entitled an act to create an insurance department, approved March 4, 1869; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Crow, Dade, Dale, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mahn, Miles, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Pehle, Pepper, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Swank, Talbot, Tevis, Turner, Vancleve, Whitaker and Windes—83.

NOES—Messrs. Berryman, Brady, Brewer, Carroll, Cox, Craig, Diercks, Foster, Hayes, Hall, Hubbard, Knight, Manistre, Morrison, Mott, McCormick of St. Louis city, O'Malley, Phelan, Ragan, Taylor, Weygandt and Wisby—22.

ABSENT—Messrs. Burford, Chilton, Cowan of Christian, Crowther, Davis, Dilley, Gwynne, Lesueur, Mackey, Moler, Mudd of St. Louis, McGarry, Patterson of Schuyler, Pollock, Pollard, Spring, Waggener, Wells, Wiley and Younger—20.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Lackland, McDaniel, McIntyre, Patterson of Linn, Settles, Smith of St. Louis city and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Larimore, Maynard, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10th, 1860; was taken up.

Pending the consideration of the bill, Mr. Kneisley presented a remonstrance from citizens of Boone county, protesting against the passage of the bill; which was read.

On motion of Mr. Bashaw, the further consideration of the bill was postponed until to-morrow morning at 10 o'clock.

Mr. Mabrey presented a petition from citizens of Ripley county, praying the Legislature to pass a law to reimburse Joel G. McClaren for money expended in bringing one David Allen to justice; which was read, and, on motion, referred to the Committee on Claims.

Mr. Patterson of Schuyler introduced bill No. 703, entitled An act relating to county officials; which was read the first time and laid over.

Mr. McKinney presented a petition from citizens of Gentry county, praying the Legislature to pass a law extending the time for the completion of railroads organized under the general laws of the State; which was read, and, on motion, referred to the Committee on Internal Improvements.

On motion of Mr. Brady, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-FIRST DAY—WEDNESDAY, April 16, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

Mr. Lockhart presented petitions from citizens of Grundy county, praying the Legislature to pass a law extending the time of completion of railroads organized under the general laws of the State; which were read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Spring presented a petition from citizens of Pleasant Hill, Cass county, Mo., in relation to the limits of said city; which was read, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Cowan of Holt presented a petition from citizens of Holt county, praying the Legislature to extend the time of railroad charters now about to expire; which was read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Knight presented petitions from citizens of Harrison county, praying the Legislature to extend the time of railroad charters now about to expire; which were read, and, on motion, referred to the Committee on Internal Improvements.

Mr. Price offered the following resolution:

Resolved, That the carpenter of this House be allowed the same pay as the house-sweepers are allowed, to-wit: \$2.50 per diem; which was read and adopted.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred Senate bill No. 184, entitled An act to repeal an act entitled an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30, 1874, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 184 was taken up, and, on motion, laid over for third reading.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred Senate bill No. 273, entitled An act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the city of St. Louis, approved February 2, 1874, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 273 was taken up, and, on motion, laid over for third reading.

Senate substitute No. 12 for Senate bill No. 82, entitled An act to revise and amend chapter 101 of the General Statutes of the State of Missouri, concerning mills and mill-dams, was called up, read second time, and, on motion, referred to the Committee on Agriculture.

Senate substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county seats, was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

Senate substitute No. 2 in part for Senate bill No. 100, entitled An act to revise and amend an act entitled an act to provide for the government of cities of the third class, was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of names; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 3 for Senate bill No. 101, entitled An act to revise and amend chapter 37 of the General Statutes of the State of Missouri, concerning county contracts and suits by and against counties; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

House bill No. 691, entitled An act in relation to barbed wire fences; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 692, entitled An act to amend an act entitled an act to amend section 37 of an act approved March 26, 1874, entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 693, entitled An act to raise State revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 694, entitled An act amendatory of section of 5 of an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment of the revenue, ap-

proved March 28, 1877; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 695, entitled An act to provide for the election of transfer clerks, and to define their powers and duties, and making county surveyors ex-officio transfer clerks; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 696, entitled An act to provide for the exercise of the right of voting; was called up, read the second time, and, on motion, referred to the Committee on Elections.

House bill No. 697, entitled An act to make malicious libel a felonious offense, and to provide for the punishment of the same; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 698, entitled An act to amend chapter 117 of the General Statutes of Missouri, concerning masters, apprentices and servants, by adding thereto a new section; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 699, entitled An act to aid the State Horticultural Society in making exhibition of the products of Missouri, at the National Exposition, to be held at Nashville, Tennessee; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

House bill No. 700, entitled An act in relation to the separate property of married women; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 701, entitled An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants; was called up, read the second time, and, on motion, referred to the Committee on St. Louis Delegation.

House bill No. 702, entitled An act to punish the illegal issuance of licenses for the sale of intoxicating liquors; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

House bill No. 703, entitled An act amendatory of section 9 of chapter 109 of the General Statutes of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House bill No. 704, entitled An act to amend an amendment to an act approved March 7, 1867, which is an amendment to an act to incorporate the town of Pleasant Hill, approved March 14, 1859; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

House bill No. 705, entitled An act to amend sections 49 and 66 of chapter 118 of Wagner's Statutes, entitled assessment and collection of revenue; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns, and villages; was called up, read the second time, and, on motion, referred to the Committee on Education.

House bill No. 707, entitled An act to impose a tax on incomes; was called up, read a second time, and, on motion, referred to the Committee on Ways and Means.

House bill No. 708, entitled An act relating to county officials; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 53, entitled Joint and concurrent resolution relating to adjournment of the Thirtieth General Assembly; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House joint and concurrent resolution No. 54, entitled Joint and concurrent resolution in relation to the Hannibal and St. Joseph Railroad; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 55, entitled Joint and concurrent resolution submitting a constitutional amendment, decreasing the number of representatives 41, with a minority representation; was called up, read the second time, and, on motion, referred to the Committee on Constitutional Amendments.

House concurrent resolution No. 57, entitled Concurrent resolution in relation to the survey of the low lands of Southeast Missouri and Northeast Arkansas, by United States Engineer Corps, with view of reclaiming said lands by drainage; was called up, read the second time, and, on motion, referred to the Committee on Swamp Lands.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, bills of the following numbers and titles, to-wit:

Senate bill No. 280, entitled An act to amend section 1 of an act entitled an act to define and conform the laws of the State to section 23 of article 9 of the Constitution, approved May 2, 1877.

Also, substitute No. 3 (in part) for Senate bill No. 100, entitled an act to amend and revise the act entitled an act for the classification of cities and towns.

Also, Senate bill No. 251, entitled An act in relation to courts of record in the city of St. Louis, and imposing additional duties upon the sheriff in relation thereto.

Also, Senate bill No. 281, entitled An act to repeal an act entitled an act relating to the office of marshal of the city of St. Louis, approved May 2, 1877.

Also, Senate bill No. 282, entitled An act to repeal an act entitled an act in relation to final process from courts of record in the city of St. Louis, and the duty of certain officers relative thereto, approved May 2, 1877.

Also, substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, and 142, and in part for No. 100, entitled An act for the government of cities of the fourth class, in which the concurrence of the House is respectfully requested; which was read.

House bill No. 471, entitled An act to amend sections 1 and 2 of an act entitled an act to regulate the practice of medicine and surgery in this State, approved April 28, 1877; was taken up.

Mr. Foster moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was not agreed to.

The bill was then read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Berry, Berryman, Bohannon, Bonham, Boulware, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cock, Cook, Cowan of Christian, Craig, Creager, Crow, Dade, Dale, Diercks, Ewing, Farr, Freed, Greer, Hayes, Hall, Haynes, Hynes, Helm, Ingram, Kendall, Lesueur, Mabrey, Mahn, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McKill, Pehle, Pollard, Powell, Powers, Rawlings, Smith of Cedar, Waggener, Wells, Weygandt and Whitaker—53.

NOES—Messrs. Alldridge, Bashaw, Booth, Brady, Burrows, Carleton, Cloud, Coleman, Collins, Cooper, Cowan of Holt, Cox, Crowther, Davis, Dawson, Dougherty, Drum, Dryden, Ellis, Finks, Foster, Gray, Gwynne, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Johnson, Kneisley, Knight, Larimore, Lockhart, Lynn, Mackey, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollock, Price, Ragan, Riley, Reynolds, Saunders, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Wiley, Windes, Withers and Mr. Speaker—69.

ABSENT—Messrs. Beckner, Bowman, Brewer, Campbell of Atchison, Carroll, Louthan, Miles, Souder, Spring, Wisby and Younger—11.

ABSENT WITH LEAVE—Messrs. Lackland, Settles and Smith of St. Louis city—3.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Dilley, Maynard, Tiernan and Warren—7.

Mr. Cox moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dilley was reported sick.

House bill No. 546, entitled An act defining the jurisdiction of common pleas courts; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Berry, Bohannon, Boulware, Brewer, Burford, Burrows, Carroll, Chitwood, Cloud, Coleman, Cowan of Christian, Creager, Dale, Ellis, Ewing, Freed, Gray, Greer, Hale, Haynes, Harrison, Hynes, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Louthan, Mabrey, Mackey, Miles, Morrison, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Organ, Pehle, Pollard, Powell, Powers, Rawlings, Souder, Smith of Cedar, Spring, Swank, Talbot, Turner, Weygandt, Whitaker, Windes and Younger—58.

NOES—Messrs. Arnold, Bashaw, Bonham, Booth, Brown, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Davis, Dawson, Drum, Dryden, Farr, Finks, Foster, Gwynne, Hayes, Hall, Ham, Hammons, Harrigan, Harrington, Hubbard, Helm, Lesueur, Lockhart, Lynn, Mahn, Manistre, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McIntyre, O'Malley, Palmer, Patterson of Schuyler, Patterson of Linn, Phelan, Pollock, Price, Ragan, Riley, Reynolds, Saunders, Tevis, Vancleve, Waggener, Wells, Wiley and Wisby—63.

ABSENT—Messrs. Beckner, Berryman, Bowman, Brady, Bryan, Diercks, Dougherty, McGarry, Pepper, Taylor and Withers—11.

ABSENT WITH LEAVE—Messrs. Lackland, Settles and Smith of St. Louis city—3.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan and Warren—7.

NOT VOTING—Mr. Speaker.

Mr. Wisby moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 3 for Senate bill No. 82, entitled An act to revise and amend chapter 99 of the General Statutes of the State of Missouri, concerning inn-keepers and their responsibility to their

guests; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

Senate bill No. 177, entitled An act to amend sections 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignment, and to amend said chapter by adding thereto new sections, numbered 42, 43, 44, 45 and 46; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

Senate substitute No. 1 for Senate bill No. 82, entitled An act to revise and amend chapter 100 of the General Statutes of the State of Missouri, concerning weights and measures; was taken up, read at length by the Clerk, and signed by the Speaker, without objection.

The special order being the consideration of the report, articles of impeachment and resolution submitted, presented and offered by the special committee appointed to prepare articles of impeachment against Elijah Gates, State Treasurer; was taken up.

Mr. Louthan moved that the further consideration of the special order be postponed until Wednesday, April 23; which was not agreed to.

The question being upon the adoption of the resolution and articles of impeachment,

The ayes and noes were demanded, and the resolution and articles of impeachment were not adopted by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Beckner, Berry, Bonham, Booth, Brewer, Brown, Burford, Burrows, Chenoweth, Cloud, Cooper, Cowan of Christian, Cowan of Holt, Craig, Dade, Dawson, Drum, Dryden, Foster, Freed, Gray, Greer, Hall, Haynes, Harrigan, Harrington, Harrison, Hynes, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mackey, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKinney, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Reynolds, Souder, Smith of Cedar, Spring, Talbot, Taylor, Whitaker, Wiley and Younger—62.

NOES—Messrs. Adams, Arnold, Bashaw, Berryman, Bohannon, Boulware, Brady, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cox, Creager, Crow, Crowther, Dale, Davis, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Gwynne, Hayes, Hale, Ham, Hammons, Hubbard, Helm, Kendall, Kneisley, Lesueur, Louthan, Mabrey, Mahn, Moler, Mudd of Lincoln, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pollock, Powers, Price, Ragan, Rawlings, Riley, Saunders, Swank, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Windes, Wisby and Mr. Speaker—69.

ABSENT WITH LEAVE—Messrs. Lackland, Settles and Smith of St. Louis city—3.

SICK—Messrs. Ballew, Bowman, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan, Warren and Withers—9.

Mr. Arnold moved to reconsider the vote by which the resolution and articles of impeachment failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 541, entitled An act to amend an act entitled an act to establish a court of common pleas at the city of Sturgeon, in Boone county, Missouri, approved January 10, 1860; was taken up and read the third time.

Pending the consideration of the bill,

Mr. Kneisley presented a remonstrance from citizens of Boone county, against the passage of the bill; which was read.

The bill was then read the third time, and failed to pass by the following vote:

AYES—Messrs. Bashaw, Bonham, Brady, Burford, Burrows, Chenoweth, Cooper, Cox, Craig, Crow, Davis, Dougherty, Drum, Ellis, Freed, Haynes, Harrington, Hubbard, Hynes, Johnson, Kendall, Knight, Lockhart, Mabrey, Mahn, Miles, Morrison, Mudd of Lincoln, McCormick of St. Louis city, Organ, Palmer, Powell, Powers, Ragan, Souder, Smith of Cedar, Tevis, Vancleve, Whitaker and Wiley—40.

NOES—Messrs. Adams, Alldridge, Arnold, Beckner, Berryman, Booth, Brewer, Brown, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Creager, Crowther, Dade, Dale, Dawson, Diercks, Dryden, Ewing, Finks, Foster, Gray, Greer, Gwynne, Hayes, Ham, Hammons, Harrison, Kneisley, Larimore, Lesueur, Lynn, Mackey, Manistre, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Price, Rawlings, Riley, Reynolds, Spring, Swank, Talbot, Turner, Weils, Weygandt, Windes and Younger—64.

ABSENT—Messrs. Andrews, Berry, Bohannon, Boulware, Bowman, Bryan, Campbell of Atchison, Carroll, Cowan of Christian, Farr, Hall, Hale, Harrigan, Helm, Ingram, Louthan, Moler, Mott, Phelan, Pollock, Pollard, Saunders, Taylor, Waggener and Wisby—25.

ABSENT WITH LEAVE—Messrs. Anderson, Lackland, McDaniel, Settles and Smith of St. Louis city—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan, Warren and Withers—8.

NOT VOTING—Mr. Speaker—1.

Mr. Pepper moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Cock for five days.

Messrs. Smith of Cedar, Bowman and Boulware were reported sick.

House bill No. 556, entitled An act to encourage the capture of horse and mule thieves; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Brewer, Burford, Burrows, Carleton, Carroll, Chenoweth, Cloud, Cock, Coleman, Cowan of Christian, Cox, Crowther, Dade, Dale, Davis, Dawson, Dougherty, Drum, Dryden, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hall, Ham, Hammons, Haynes, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Louthan, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Reynolds, Souder, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Weygandt, Whitaker, Wiley, Windes, Wisby and Younger—89.

NOES—Messrs. Anderson, Brady, Brown, Bryan, Campbell of Atchison, Chilton, Chitwood, Collins, Cook, Cooper, Cowan of Holt, Craig, Crow, Ellis, Gray, Harrigan, Harrington, Hubbard, Hynes, Larimore, Lynn, Mackey, Mudd of Lincoln, McCormick of St. Louis city, McGarry, Powell, Rawlings, Wells and Mr. Speaker—29.

ABSENT—Messrs. Berry, Creager, Diercks, Greer, Hale, Miles, Riley, Saunders, Vancleve, Waggener and Withers—11.

ABSENT WITH LEAVE—Messrs. Lackland, McDaniel, McIntyre, Settles and Smith of St. Louis city—5.

SICK—Messrs. Ballew, Boulware, Bowman, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan and Warren—9.

The title of the bill was read and agreed to.

Mr. Burford moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Farr, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

Mr. Lockhart moved a call of the House; which was ordered.

The roll of the House was called, when the following members answered to their names:

Messrs. Adams, Aildridge, Andrews, Arnold, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Pehle, Phelan, Pollock, Pollard, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of Cedar, Spring, Swank, Taylor, Turner, Wells, Weygandt, Whitaker, Wisby and Mr. Speaker—102.

On motion of Mr. Wells, the further proceedings under the call of the House were dispensed with.

Mr. Wells moved to reconsider the vote by which the resolution regarding the pay of the carpenter was adopted this morning; which was agreed to.

Mr. Patterson of Linn, offered the following resolution:

WHEREAS, There have been two resolutions offered and passed this House in regard to the pay of the carpenter, without stating the time when said services commenced; therefore be it

Resolved, That the carpenter be allowed two dollars and fifty cents per diem from February 1, 1879; which was read and adopted.

House bill No. 566, entitled An act to amend chapter 204 of the General Statutes of the State of Missouri, entitled "offenses by persons in office, or affecting public trusts and rights," by adding a new section thereto, to be designated as section number 32; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Bashaw, Bonham, Booth, Boulware, Brown, Collins, Cowan of Christian, Crow, Dade, Dale, Hayes, Hall, Hammons, Johnson, Lesueur, Lockhart, Mackey, Mahn, Miles, Mudd of

Lincoln, McCormick of St. Louis city, McElvain, McGarry, Organ, Palmer, Pehle, Pepper, Ragan and Reynolds—29.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crowther, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hale, Ham, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Knight, Larimore, Louthan, Mabrey, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McKill, O'Malley, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Souder, Smith of Cedar, Swank, Turner, Wells, Weygandt and Whitaker—45.

ABSENT—Messrs. Burford, Campbell of Atchison, Creager, Davis, Gwynne, Kneisley, Lynn, Moler, McKinney, Pollock, Spring, Saunders, Talbot, Taylor, Tevis, Vancleve, Waggener, Wiley, Windes, Wisby, Withers and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Lackland, McDaniel, McIntyre, Settles and Smith of St. Louis city—8.

SICK—Messrs. Ballew, Bowman, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan and Warren—8.

NOT VOTING—Mr. Speaker—1.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 290, entitled An act to amend section 32 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877;

Also, substitute No. 20 for Senate bill No. 52, entitled An act to revise and amend chapter 152, General Statutes, concerning partitions;

Also, Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts in counties having a population exceeding 50,000, in which the concurrence of the House is respectfully requested;

Also, That the Senate has taken up and passed House bill No. 253, entitled An act amending section 54 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877;

Also, That the Senate has taken up, amended and passed substitute for House bill No. 297, entitled An act to amend section 44 of an act dividing the State into judicial circuits, providing the times for holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read.

House bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the remains of the Hon. Thomas J. Howell, late Representative; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Talbot, Taylor, Turner, Wells, Weygandt, Wisby and Mr. Speaker—93.

NOES—Messrs. Alldridge, Booth, Brown, Burford, Dade, Dale, Hale, Ingram, Pehle, Pepper and Whitaker—11.

ABSENT—Messrs. Beckner, Creager, Crowther, Davis, Gwynne, Hall, Johnson, Kendall, Lynn, Moler, Mudd of St. Louis, Pollock, Saunders, Souder, Swank, Tevis, Vaneleve, Waggener, Wiley, Windes and Younger—21.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Lackland, McDaniel, McIntyre, Settles and Smith of St. Louis city—8.

SICK—Messrs. Ballew, Boulware, Bowman, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan, Warren and Withers—10.

The title of the bill was read and agreed to.

Mr. Cox moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

House bill No. 616, entitled An act to authorize elections for the purpose of changing and defining boundary lines between counties; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton,

Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Dawson, Diercks, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of Cedar, Talbot, Wells, Weygandt, Whitaker, Wisby and Mr. Speaker—93.

NOES—Messrs. Booth, Brady, Cox, Dale, Ewing, Hynes, Miles, Pehle, Pepper and Taylor—10.

ABSENT—Messrs. Brewer, Brown, Coleman, Creager, Dade, Davis, Gwynne, Ingram, Kendall, Lynn, Moler, Pollock, Saunders, Spring Swank, Tevis, Turner, Vancleve, Waggener, Wiley, Windes, Withers and Younger—23.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Lackland, McDaniel, McIntyre, Settles and Smith of St. Louis city—8.

SICK—Messrs. Ballew, Boulware, Bowman, Campbell of St. Louis city, Dilley, Dodson, Maynard, Tiernan and Warren—9.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed; and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 617, entitled An act to authorize the employment of convicts for the improvement of Agricultural and Mechanical College Farm of the State of Missouri; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Andrews, Berry, Bohannon, Booth, Boulware, Brady, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Crow, Dale, Dawson, Drum, Ewing, Finks, Freed, Greer, Hayes, Hale, Ham, Hammons, Harrigan, Harrington, Helm, Kneisley, Knight, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Pollard, Price, Ragan, Rawlings, Reynolds, Taylor, Turner and Wisby—63.

NOES—Messrs. Alldridge, Arnold, Beckner, Berryman, Bonham, Brewer, Brown, Chilton, Cowan of Christian, Cox, Craig, Crowther,

Dade, Diercks, Ellis, Gray, Hall, Haynes, Harrison, Hubbard, Hynes, Ingram, Johnson, Lockhart, Lynn, Manistre, Miles, McKill, McKinney, O'Malley, Organ, Pehle, Phelan, Powell, Powers, Riley, Souder, Smith of Cedar, Spring, Swank, Talbot, Wells and Whitaker—43.

ABSENT—Messrs. Bashaw, Davis, Dougherty, Farr, Foster, Gwynne, Kendall, Moler, Mott, Pollock, Saunders, Smith of St. Louis city, Tevis, Vancleve, Waggener, Weygandt, Wiley, Windes, and Younger—19.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Lackland, McDaniel, McIntyre and Settles—7.

SICK—Messrs. Ballew, Bowman, Campbell of St. Louis city, Creager Dilley, Dodson, Maynard, Tiernan, Warren and Withers—10.

NOT VOTING—Mr. Speaker—1.

House concurrent resolution No. 36, entitled A concurrent resolution making it the duty of our members in Congress to use their best efforts to procure the appointment of a commission to consist of a sufficient corps of competent engineers of the United States Army, to make a survey of the Mississippi river, and certain portions of its valley, with a view of preventing overflows, reclaiming lands subject to inundation, deepening the channel of said river to a capacity of ocean ship navigation, and the Florida ship canal; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Dawson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of St. Louis city, Spring Swank, Talbot, Taylor, Turner, Wells, Weygandt, Whitaker and Wisby—106.

ABSENT—Messrs. Brady, Burford, Chenoweth, Davis, Diercks, Farr, Gwynne, Harrigan, Kendall, Moler, Morrison, Pollock, Saunders, Tevis, Vancleve, Waggener, Wiley, Windes, Younger and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, McDaniel, McIntyre and Settles—6.

SICK—Messrs. Ballew, Bowman, Campbell of St. Louis city, Creager, Dilley, Dodson, Maynard, Smith of Cedar, Tiernan, Warren and Withers—11.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 184, entitled An act to repeal an act entitled an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30th, 1874; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dade, Dale, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Wells, Weygandt, Whitaker and Wisby—102.

NOES—Messrs. Brady and Johnson—2.

ABSENT—Messrs. Bonham, Carroll, Chenoweth, Crowther, Davis, Farr, Gwynne, Harrigan, Hynes, Kendall, Lackland, Lynn, Moler, Mudd of St. Louis, Pollock, Tevis, Vancleve, Waggener, Wiley, Windes, Younger and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, McDaniel, McIntyre and Settles—6.

SICK—Messrs. Ballew, Bowman, Campbell of St. Louis city, Creager, Dilley, Dodson, Maynard, Smith of Cedar, Tiernan, Warren and Withers—11.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions; was taken up.

On motion of Mr. Lackland, the further consideration of the bill was postponed, and made special order for Thursday, April 17th, 1879.

On motion of Mr. Craig, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-SECOND DAY—THURSDAY, April 17, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Ewing, the further reading was dispensed with.

Senate substitute No. 20 for Senate bill No. 52, entitled An act to revise and amend chapter 152 of the General Statutes of Missouri, concerning partitions; was called up and read the first time.

Senate substitute No. 3 in part for Senate bill No. 100, entitled An act to amend and revise the act entitled an act for the classification of cities and towns; was called up and read the first time.

Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 142, and in part for No. 100, entitled An act for the government of cities of the fourth class; was called up and read the first time.

Senate bill No. 251, entitled An act in relation to courts of record in the city of St. Louis, and imposing additional duties upon the sheriff in relation thereto; was called up and read the first time.

Senate bill No. 280, entitled An act to amend section 1 of an act entitled an act to define and conform the laws of the State to section 23 of article 9 of the Constitution, approved May 2, 1877; was called up and read the first time.

Senate bill No. 281, entitled An act to repeal an act entitled an act relating to the office of marshal of the city of St. Louis, approved May 2, 1877; was called up and read the first time.

Senate bill No. 282, entitled An act to repeal an act entitled an act in relation to final process from courts of record in the city of St. Louis, and the duty of certain officers relative thereto, approved May 2, 1877; was called up and read the first time.

Senate bill No. 290, entitled An act to amend section 32 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up and read the first time.

Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts, in counties having a population exceeding fifty thousand; was called up and read the first time.

Senate substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State, for the payment of which no application has hitherto been made; was taken up.

On motion of Mr. Davis the bill was recommitted to the Committee on Ways and Means.

Leave of absence was granted Mr. Gwynne for one day, and Mr. Farr for one day.

Senate bill No. 273, entitled An act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the city of St. Louis, approved February 2, 1874; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dade, Davis, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Wells, Weygandt and Younger—105.

NOES—Mr. Johnson—1.

ABSENT—Messrs. Booth, Brown, Campbell of Atchison, Collins, Dawson, Freed, Hall, Harrigan, Harrington, Hynes, Manistre, McCormick of St. Louis city, Pepper, Pollock, Settles, Smith of Cedar, Tevis, Vancleve, Waggener, Whitaker, Wiley, Windes, Wisby and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, McDaniel and McIntyre—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dilley, Dodson, Tiernan Warren and Withers—8.

The title of the bill was read and agreed to.

Mr. Cowan of Holt moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Riley moved to reconsider the vote by which House bill No. 617 failed to pass on yesterday; which was agreed to.

House bil No. 617, entitled An act to authorize the employment of convicts for the improvement of the Agricultural and Mechanical College Farm of the State of Missouri; was taken up.

The question bing upon the passage of the bill, the roll was called, and the bill again failed to pass by the following vote:

AYES—Messrs. Anderson, Andrews, Arnold, Bashaw, Booth, Bowman, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Crow, Dale, Davis, Dougherty, Ewing, Finks, Foster, Freed, Gwynne, Hayes, Hammons, Harrington, Hubbard, Kneisley, Lackland, Larimore, Lesueur, Mabrey, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, O'Malley, Palmer, Patterson of Linn, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of St. Louis city, Taylor, Waggener, Wiley and Wisby—61.

NOES—Messrs. Adams, Alldridge, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Chilton, Chitwood, Cowan of Christian, Cox, Craig, Dade, Diercks, Drum, Dryden, Ellis, Gray, Greer, Hale, Ham, Haynes, Harrison, Hynes, Helm, Kendall, Knight, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Moler, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Settles, Souder, Spring, Swank, Talbot, Turner, Wells, Weygandt, Whitaker and Younger—57.

ABSENT—Messrs. Crowther, Dawson, Hall, Harrigan, Ingram, Johnson, Mott, Smith of Cedar, Tevis Vancleve, Windes and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Cock, Farr, McDaniel and McIntyre—4.

SICK—Messrs. Ballew, Campbell of St. Louis city, Oreager, Dilley, Dodson, Tiernan, Warren and Withers—8.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases, and have concurred in all of House amendments thereto, except the following :

Amend section 288 by adding thereto the following words: "Provided, that the order in which civil and criminal cases are above directed to be docketed, may be changed, from time to time, by order of the court or of the judge thereof."

Amend section 334 so as to read as follows: "Section 334. Each opinion of the supreme court shall contain a statement of the facts upon which it is based, unless the preparation of such statement be by the court left to the supreme court reporter: provided, that in each case which prior to the first day of August, eighteen hundred and eighty-one, shall be affirmed or reversed without being remanded for further action, the written opinion of the court may state simply the points decided, and the ruling of the court thereupon."

Amend section 34 of the printed bill by striking out the words, "for quieting title to real estate," in the second and third lines thereof, and by striking out the words, "and in suits for quieting title," in the eighteenth line thereof, and the words, "and the real estate, the title to which is sought to be quieted," in the nineteenth and twentieth lines thereof.

Amend section 102 by adding thereto the following words: "If any person who shall be proceeded against under the provisions of this section shall be a non-resident of this State, the fact of non-residence shall be alleged in the petition, and the order of notice made by the court shall be returnable to the first day of the next regular term of the court making such order, and may be renewed, from time to time, as occasion may require, and all orders made under the provisions of this section against non-residents of this State, shall be served by delivering a duly exemplified copy thereof to such non-resident at any place within or without this State, by any person above the age of twenty-one years, not incompetent to testify as a witness in the cause, and being proved by the affidavit or deposition of such person, such service shall be as effectual as if made by a duly authorized officer in this State upon a resident thereof."

Amendment No. 13—Amend by striking out section 288, and inserting the following: "Section 288. One of such dockets shall be known as the 'court docket,' the other as the 'bar docket,' and shall be arranged appropriately, with spaces for the names of attorneys, and brief statements of the orders and judgments of the court in the respective cases. Such cases shall be docketed as follows: First, all criminal cases; second, all civil cases for trial; third, the return cases showing whether process has been served or not."

In which they have refused to concur, and ask the House to recede therefrom; which was read.

The special order being the consideration of substitute for House bill No. 144, entitled An act to amend section 1 of an act entitled an act to authorize counties, cities and towns to compromise their debts, approved April 12, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Berry, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Cloud, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Spring, Talbot, Taylor, Turner, Waggener, Wells, Weygandt and Wisby—101.

NOES—Messrs. Cooper, Hynes, Larimore, Lockhart, Souder and Younger—6.

ABSENT—Messrs. Beckner, Berryman, Bonham, Carroll, Chenoweth, Chitwood, Collins, Drum, Foster, Hall, Harrigan, Mabrey, Miles, Pollock, Smith of Cedar, Smith of St. Louis city, Swank, Tevis, Vancleve, Whitaker, Wiley, Windes and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Farr, Gwynne and McDaniel—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dilley, Dodson, Tiernan, Warren and Withers—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Andrews, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Spring, Talbot, Taylor, Turner, Waggener, Wells, Weygandt, Wiley and Wisby—104.

NOES—Messrs. Bonham, Cooper, Hynes, Larimore, Lockhart, Souder and Younger—7.

ABSENT—Messrs. Alldridge, Arnold, Beckner, Carroll, Chitwood, Collins, Drum, Harrigan, Miles, O'Malley, Pollock, Swank, Smith of Cedar, Smith of St. Louis city, Tevis, Vaneleve, Whitaker, Windes and Mr. Speaker—19.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Farr, Gwynne and McDaniel—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dilley, Dodson, Tiernan, Warren and Withers—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order, being the consideration of House bill No. 507, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of Railroad Commissioners and to prescribe their powers and duties, approved March 29, 1875, by adding two new sections thereto, to be known as sections 20 and 21; was taken up, and, on motion, laid over informally.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and amended House amendment No. 1, and concurred in amendments Nos. 2, 3, 4, 5 and 6, and have refused to concur in amendments Nos. 7, 8 and 9, to Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17,

and 18 of an act approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872, and that the Senate requests the appointment of a Committee of Conference, and has appointed as such committee, Senators Ballingal, Lakenan and Read on the part of the Senate; which was read.

The special order being the consideration of Senate substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions; was taken up.

Mr. Booth offered the following amendment:

Amend section 9 by striking out the words "two work animals," in the sixth and seventh lines of said section (printed bill), and inserting in lieu thereof the following: "Working animals of the value of one hundred and fifty dollars;" which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 41 by striking out the words in brackets, as follows: "Which may be designated by the plaintiff or his attorney of record," in the seventh and eighth lines of said section, (printed bill); which was read and agreed to.

Mr. Booth offered the following amendment:

Strike out all of section 27, and insert in lieu thereof the following:

SECTION 27. When personal property or any shares in any bank, company or corporation, or other effects, shall be seized by virtue of any execution, and any person other than the debtor in the execution, shall in writing, verified by affidavit of himself or some other creditable person, claim such property, or any part thereof, and shall, in said written claim, verified as aforesaid, set forth the right, title and interest of said claimant in and to said property, or any part thereof, and shall give notice thereof to the officer levying the execution, and deliver to such officer the writing so verified, claiming such property, such officer shall, as soon thereafter as practicable, notify the execution creditor of such claim and notice; and, if the execution creditor shall fail in a reasonable time to furnish and tender to such officer a bond payable to him with good security resident of the county, and conditioned to indemnify such officer against all damages and costs which he may sustain in consequence of the seizure and sale of the property so levied on and claimed, and to pay and satisfy to the person or persons claiming the same, all damages which such person or persons may sustain in consequence of such seizure and sale, the officer making such levy may abandon it and release

such property to the claimant or claimants; which was read and agreed to.

Mr. Booth offered the following amendment:

Strike out all of section 28, and insert in lieu thereof the following:

SECTION 28. If such bond and security be given, it shall be returned by the officer, together with the execution, and filed in the office from whence the execution issued; and the claimant may, in the name of the officer to whom the bond is payable, prosecute his or her suit upon the bond, and recover such damages as a jury may assess; which was read and agreed to.

Mr. Louthan offered the following amendment:

Amend section 76 by adding: "Provided the rate of taxation, so ordered to be levied and assessed, shall in no case exceed the rate prescribed by its charter;" which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Brown, Burford, Burrows, Carroll, Cloud, Collins, Cook, Cowan of Christian, Crowther, Dade, Dale, Diercks, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Ham, Hammons, Harrison, Hubbard, Hynes, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Louthan, Lynn, Miles, Moler, McElvain, McKill, McKinney, Organ, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Rawlings, Riley, Reynolds, Settles, Souder, Spring, Swank, Turner, Wells, Weygandt, Whitaker, Wisby and Younger—61.

NOES—Messrs. Arnold, Bashaw, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cooper, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Drum, Dryden, Foster, Greer, Hayes, Hall, Harrigan, Harrington, Helm, Lackland, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Palmer, Patterson of Linn, Pehle, Pepper, Pollock, Price, Ragan, Smith of St. Louis city, Waggener and Wiley—54.

ABSENT—Messrs. Berryman, Boulware, Coleman, Hale, Haynes, Knight, Mudd of St. Louis, Saunders, Smith of Cedar, Talbot, Taylor, Tevis, Vancleve, Windes and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Farr, Gwynne, and McDaniel—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dilley, Dodson, Tiernan, Warren and Withers—8.

The bill was then read a third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Booth, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carroll, Chenoweth, Chilton, Cloud, Collins, Cook, Cowan of Christian, Craig, Crowther, Dade, Dale, Diercks, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Greer, Ham, Hammons, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Larimore, Lesueur, Louthan, Lynn, Mahr, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Settles, Spring, Swank, Taylor, Turner, Wells, Weygandt, Whitaker, Wiley, Wisby and Younger—75.

NOES—Messrs. Arnold, Bonham, Bowman, Campbell of Atchison, Carleton, Chitwood, Cooper, Cowan of Holt, Cox, Crow, Davis, Dawson, Drum, Dryden, Foster, Hayes, Hall, Harrigan, Harrington, Kneisley, Lockhart, Mabrey, Mackey, Manistre, Maynard, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, Palmer, Patterson of Linn, Pehle, Pepper, Pollock, Ragan, Souder, Smith of St. Louis city and Waggener—40.

ABSENT—Messrs. Berryman, Boulware, Coleman, Hale, Haynes, Hubbard, Knight, Lackland, Saunders, Smith of Cedar, Talbot, Tevis, Vancleve, Windes and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Farr, Gwynne and McDaniel—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dilley, Dodson, Tiernan, Warren and Withers—8.

The title of the bill was read and agreed to.

Mr. Dale moved to reconsider the vote by which the bill passed.

Pending the consideration of which,

On motion of Mr. Pepper, the House took a recess until 7½ o'clock P. M.

EVENING SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

The House resumed consideration of Senate substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions, pending at the hour of recess.

The question being upon agreeing to the motion to reconsider the vote by which the bill passed.

Mr. Wells moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay the motion to reconsider on the table, prevailed by the following vote :

AYES—Messrs. Alldridge, Andrews, Beckner, Berry, Berryman, Boulware, Brown, Burford, Burrows, Coleman, Collins, Cook, Crowther, Dade, Dale, Dilley, Dougherty, Ellis, Farr, Finks, Freed, Gray, Greer, Hale, Ham, Hammons, Hynes, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Louthan, Lynn, Miles, McElvain, McKill, McKinney, Patterson of Schuyler, Pollard, Powell, Rawlings, Riley, Reynolds, Saunders, Souder, Spring, Swank, Turner, Wells, Weygandt, Whitaker and Younger—54.

NOES—Messrs. Adams, Arnold, Bonham, Booth, Bowman, Brewer, Bryan, Carleton, Carroll, Chitwood, Cloud, Cooper, Cowan of Holt, Cox, Craig, Crow, Diercks, Drum, Dryden, Ewing, Hayes, Hall, Haynes, Harrison, Hubbard, Kneisley, Lackland, Lockhart, Mahn, Maynard, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McIntyre, Organ, Palmer, Pehle, Pepper, Powers, Price, Settles, Smith of St. Louis city and Waggener—44.

ABSENT—Messrs. Bashaw, Bohannon, Brady, Chenoweth, Cowan of Christian, Chilton, Davis, Dawson, Foster, Harrigan, Harrington, Lesueur, Mabrey, Mackey, Manistre, Morrison, Mott, McCormick of St. Louis city, McGarry, O'Malley, Phelan, Pollock, Ragan, Smith of Cedar, Taylor, Tevis, Wiley, Windes and Wisby—29.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, McDaniel, Talbot and Vancleve—6.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

NOT VOTING—Mr. Speaker—1.

Mr. Patterson of Linn, and Mr. Campbell of Atchison, were reported sick.

Leave of absence was granted Mr. Talbot for five days.

Leave of absence was granted Mr. Vancleve for an indefinite length of time on account of sickness in family.

Mr. Moler, from the Committee on Agriculture, submitted the following report :

MR. SPEAKER: Your Committee on Agriculture, to whom was referred substitute No. 12 for Senate bill No. 82, entitled An act to revise and amend chapter 101 of the General Statutes of the State of Missouri, concerning mills and mill-dams, beg leave to report that

they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 12 for Senate bill No. 82; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gray, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mahn, Manistre, Maynard, Miles, Mudd of Lincoln, Mudd of St. Louis, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Swank, Turner, Waggener, Wells, Weygandt and Whitaker—90.

NOES—Messrs. Dade, Dryden, Organ, Younger and Mr. Speaker—5.

ABSENT—Messrs. Andrews, Beckner, Bohannon, Brady, Burford, Chilton, Davis, Dawson, Diercks, Harrigan, Harrington, Hynes, Ingram, Lesueur, Mabrey, Mackey, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, O'Malley, Pepper, Phelan, Pollock, Saunders, Smith of Cedar, Taylor, Tevis, Wiley, Windes and Wisby—33.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, McDaniel, Talbot and Vancleve—6.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 8 for Senate bill No. 52, entitled An act to revise and amend chapter 140 of the General Statutes of the State of Missouri, concerning writs and process, beg leave to report that they have considered the same, and recommend that it do pass with amendment herewith submitted; which was read.

Senate substitute No. 8 for Senate bill No. 52 was taken up, with the following amendment recommended by the Committee on Judiciary:

Amend said bill by striking out all of section 6; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Smith of St. Louis city, Spring, Swank, Turner, Waggener, Weygandt, Whitaker and Younger—100.

NOES—Messrs. Dade, Ingram, Wells and Mr. Speaker—4.

ABSENT—Messrs. Anderson, Cock, Gwynne, McDaniel, Talbot and Vancleve—6.

ABSENT WITH LEAVE—Messrs. Bohannon, Brady, Burford, Chilton, Cowan of Christian, Dawson, Harrigan, Harrington, Lesueur, Mabrey, Mackey, Morrison, McGarry, O'Malley, Phelan, Pollock, Saunders, Settles, Smith of Cedar, Taylor, Tevis, Wiley, Windes and Wisby—24.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 8 for Senate bill No. 82, being an act to revise and amend chapter 92 of the General Statutes of the State of Missouri, concerning sureties and their discharge, beg leave to report that they

have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 8 for Senate bill No. 82 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Swank, Turner, Waggener, Wells, Weygandt and Whitaker—97.

NOES—Messrs. Alldridge, Andrews, Beckner, Bowman, Dade, Dryden and Mr. Speaker—7.

ABSENT—Messrs. Bohannon, Chilton, Coleman, Cox, Dawson, Finks, Hayes, Harrison, Harrington, Johnson, Lesueur, Mabrey, Mackey, Maynard, Morrison, McGarry, O'Malley, Saunders, Smith of Cedar, Taylor, Tevis, Wisby, Wiley, Windes and Younger—25.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, Talbot and Vancleve—5.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 11 for Senate bill No. 82, being An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange and negotiable promissory notes, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 11 for Senate bill No. 82, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Berry, Berry-Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Swank, Turner, Waggener, Wells, Weygandt and Younger—100.

NOES—Messrs. Alldridge, Beckner, Bowman, Burford, Dade and Mr. Speaker—6.

ABSENT—Messrs. Bohannon, Chilton, Collins, Dawson, Harrington, Ingram, Johnson, Lesueur, Mabrey, Mackey, Morrison, McGarry, O'Malley, Powers, Saunders, Smith of Cedar, Taylor, Tevis, Whitaker, Wiley, Windes and Wisby—22.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, McDaniel, Talbot and Vancleve—6.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 7 for Senate bill No. 52, being An act to revise and amend chapter 139 of the General Statutes of the State of Missouri, concerning attorneys at law, beg leave to report that they have considered the same and recommend that it do pass, with amendments herewith submitted; which was read.

Senate substitute No. 7 for Senate bill No. 52, was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 6 so as to read as follows: "Section 6. If any person shall practice law in any court of record without being licensed, sworn and enrolled, he shall be deemed

guilty of a criminal contempt of court, and punished as in other cases of criminal contempt;" which was read and agreed to.

Amendment No. 2—Amend section 16 by striking out all of said section after the word "by," in the third line of the printed bill, and insert, in lieu thereof, the words "the court;" which was read and agreed to.

Amendment No. 3—Amend section 19 by striking out all that part thereof, after the word "State," in the fifth line of the printed bill, and in lieu of the part stricken out, insert the following:

"Provided, That any attorney-at-law, removed from practice or suspended for a longer term than two years, for any offense not indictable, on application to the Supreme Court or to the court in which the judgment of removal or suspension was first rendered, may be reinstated as such attorney, in the discretion of the court, at any time, after two years from the date of such judgment;" which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hall, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of St. Louis city, Swank, Turner, Waggener, Wells, Weygandt, Younger and Mr. Speaker—93.

NOES—Messrs. Beckner, Dade, Hale, McKinney and Whitaker—5.

ABSENT—Messrs. Alldridge, Bohannon, Boulware, Burford, Carroll, Chilton, Crowther, Dale, Dawson, Freed, Harrigan, Harrington, Johnson, Larimore, Lesueur, Mabrey, Mackey, Miles, Moler, Morrison, McGarry, O'Malley, Pepper, Saunders, Smith of Cedar, Spring, Taylor, Tevis, Wiley, Windes and Wisby—31.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Gwynne, Talbot and Vancleve—5.

SICK—Messrs. Ballew, Campbell of Atchison, Campbell of St. Louis city, Creager, Dodson, Patterson of Linn, Tiernan, Warren and Withers—9.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first class to administer, free of charge, all oaths in connection with their official duties, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 642; was taken up, with the following amendment recommended by the Joint Committee on Revision:

Amendment No. 1—Amend by striking out all of section 2, and inserting the following in lieu thereof:

SECTION 2. That excessive salaries, resulting from the collection of fees by officers mentioned in this act, for administering oaths as aforesaid, constitutes an emergency for the immediate taking effect of this act; therefore, this act shall take effect and be in force from and after its passage; which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 611, entitled An act for the protection of orphans, and children of poor parents, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Benevolent and Scientific Institutions; which was read.

House bill No. 611; was taken up, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

Mr. Brady offered the following resolution:

Resolved, That the use of this Hall be tendered to Mr. Berry Mitchell, of St. Louis, to-morrow (Friday) evening, for the purpose of giving a reading from Shakspeare; which was read and agreed to.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-THIRD DAY—FRIDAY, April 18, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. Mr. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

The Speaker laid before the House the following communication from the House of Delegates of the city of St. Louis:

LEGISLATIVE DEPARTMENT, }
HOUSE OF DELEGATES, }
ST. LOUIS, April 15, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives, Jefferson City, Missouri.

SIR: I have the honor to inform you that, at a meeting of the House of Delegates held this evening, 26 members present, the following resolution was unanimously adopted:

WHEREAS, There is now pending in the General Assembly of this State, bills providing that it shall not be necessary to be the owner of real estate in order to hold any office, either elective or appointive, or to be judge or clerk of election in any municipality of this State; and

WHEREAS, It is the sense of the House of Delegates that the imposition of a property qualification as a condition necessary to the holding of any office, is repugnant to republican institutions, unwise and inexpedient; therefore, be it

Resolved, That the House of Delegates earnestly recommend the passage of the bill, and thus relieve the city of St. Louis of the odium which now attaches to it by reason of having such a provision in its charter.

Resolved, That the clerk of the House of Delegates is hereby instructed to send a copy of these resolutions to the Speaker of the House and President of the Senate, in order that they may have the same presented to the General Assembly.

Very respectfully,

JAS. C. BROADWELL,

Clerk House of Delegates.

Which was read, and, on motion, referred to the Committee on Judiciary.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 560, entitled An act to amend section 18 of an act entitled an act establishing probate courts, approved April 9, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 602, entitled An act regulating the interest of money, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 621, entitled An act to provide for the prosecution or defense, as the case may require, of all appeals and writs of error to which the State is a party, in the St. Louis court of appeals, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 598, entitled An act for the protection of coal miners, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshals, coroners, and all clerks of courts of record, and other officers, to keep an account of and pay over fees of witnesses and others, when collected by them, approved March 24, 1874, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

The Speaker appointed as a committee of conference on the part of the House, to confer with members of the Senate on Senate bill No. 151, Messrs. Dryden, Arnold and Finks.

Mr. Cook offered the following resolution :

WHEREAS, It is the duty of this House to economize in every way consistent with the successful performance of its duties ; and,

WHEREAS, The committee work of the House is mostly completed ; therefore,

Resolved, first, That the chairmen of the various committees of the House, who have rooms rented in the city, be, and are hereby required to present their accounts for rent to the Committee on Accounts for settlement, and that the rent cease.

Resolved, second, That a committee of three be appointed by the Speaker to inquire into, and report to this House, what number of clerks, pages, wood-carriers or other employes of this House can be dispensed with, without hindrance to the successful performance of its duties ; which was read, and, on motion, referred to a special committee appointed by the Speaker, as follows : Messrs. Cook, McIntyre, Davis and Anderson.

Mr. Turner presented the following communication from the Hon. W. H. Patterson of Linn :

CITY OF JEFFERSON, April 18, 1879.

To the Hon. EDWARD BELCH, Speaker of the House of the Thirtieth General Assembly :

SIR: Owing to bad health, I hereby tender my resignation as a member of said body.

Respectfully,

W. H. PATTERSON.

Which was read.

Mr. Cook offered the following resolution :

Resolved, That the Committee on accounts are hereby instructed to allow the account of Carter & Regan for 150 copies of *Daily Tribune*, containing report of official proceedings of the House, at 4 cents per copy ; which was read.

Mr. Dale offered the following amendment :

Amend by striking out the words "four cents," and inserting in lieu thereof the words, "two and one-half cents ;" which was read.

Mr. Chitwood offered the following substitute for the resolution and amendment :

Resolved, That each member pay for his own paper ; which was read and not agreed to.

Mr. Bonham offered the following substitute for the resolution :

Amend resolution by striking out the words "four cents," and insert in lieu thereof the words, "three cents per copy;" which was read and not agreed to.

The question being upon agreeing to the amendment to the resolution, it was agreed to.

The question recurring upon the adoption of the resolution as amended, it was adopted.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 332, entitled An act to provide for the establishment of parks in cities, and providing the manner for the appropriation and valuation of lands taken therefor.

Also, Senate bill No. 272, entitled An act for the improvement of the Capitol building, State armory and supreme court building, and to appropriate money therefor.

Also, Senate bill No. 247, entitled An act requiring certain officers to pay over fees to the treasurers of certain municipalities.

Also, substitute No. 4 for Senate bills Nos. 101 and 18, entitled An act to revise and amend chapter 38, General Statutes, concerning county treasuries.

Also, substitute for Senate bills Nos. 215, 216, 217 and 218, entitled An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such funded indebtedness, etc., etc.; in which the concurrence of the House is respectfully requested.

Also, that the Senate has taken up and passed House bill No. 176, entitled An act to amend section 28 of chapter 206, General Statutes of Missouri.

Also, the Senate has taken up, amended and passed House bill No. 533, entitled An act to provide for the transferring the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court.

Also, House bill No. 534, entitled An act authorizing county courts to correct swamp land entries, patents and records; which was read.

Senate bill No. 220, entitled An act authorizing the board of education of the city of Oregon, Holt county, Missouri, to let or lease such rooms or portion of the public school building in said city, as are not necessary for public school purposes, to a board of directors of the Northwest Missouri Normal School of said city; was taken up,

read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 5 for Senate bill No. 82, entitled An act to revise and amend chapter 102 of the General Statutes of the State of Missouri, concerning mills and millers; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 184, entitled An act to repeal an act entitled an act to encourage the erection of an academy of music and gallery of art in the city of St. Louis, approved March 30, 1874; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 1 for Senate bill No. 101, entitled An act to revise and amend chapter 35 of the General Statutes of the State of Missouri, concerning the organization of counties; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Manistre presented a petition from citizens of St. Louis, praying the Legislature to repeal the street railway act of 1860; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Campbell of Atchison presented a petition from citizens of Atchison county, praying the Legislature to submit to a vote of the people, an amendment to the Constitution, prohibiting the manufacture and sale of intoxicating drinks within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Cloud offered the following resolution:

WHEREAS, Hon. W. H. Patterson, from failing health, and actuated by a sense of duty to his constituency, has tendered to the Speaker his resignation; and,

WHEREAS, The Hon. W. H. Patterson is, and has been a very valuable and energetic member of this House, and, by reason of constant labor, has temporarily impaired his health; therefore,

Resolved, That his resignation be returned to him, with the request that it be withdrawn by the Speaker, and Mr. Patterson's name remain as a member of this House, and that he be granted leave of absence; which was read and adopted.

Mr. Hubbard presented a petition from citizens of Gentry county, praying for an extension of the time prescribed by law for the building of the Quincy, Missouri Pacific Railroad through this State; which was read, and, on motion, referred to the Committee on Internal Improvements.

Leave of absence was granted Mr. Berryman for four days, Mr. Harrison for four days, Mr. Foster for four days, Mr. Pollock for four days, Mr. Wiley for four days, and Mr. Taylor for three days.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 682, entitled An act to amend sections 15 and 45 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 682 was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 662, entitled An act providing that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge or clerk of election in cities or towns of this State, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 662 was taken up, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 276, entitled an act to amend an act to establish three terms a year of the circuit court at La Plata, Macon county, Missouri, approved April 28, 1877, beg leave to report that they have considered the same and report it back without recommendation; which was read.

Senate bill No. 276, was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrison, Haynes, Harrigan, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson

of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—106.

NOES—Mr. Dade—1.

ABSENT—Messrs. Berry, Berryman, Brady, Chitwood, Crowther, Dale, Harrington, Knight, Lackland, Manistre, Miles, Moler, Mudd of Lincoln, McGarry, Patterson of Linn, Pepper, Pollock, Settles, Smith of Cedar, Talbot, Tevis, Waggener, Wisby and Younger—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Dryden, Gwynne, McDaniel and Vancleve—6.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Tiernan and Warren—6.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 672, entitled An act for the protection of libraries and museums, beg leave to report that they have considered the same, and recommend that the same be referred to the Committee on Criminal Jurisprudence; which was read.

House bill No. 672 was taken up, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 552, entitled an act to repeal an act concerning street railroads in the city of St. Louis, beg leave to report that they have considered the same, and herewith submit a substitute, and recommend that the substitute do pass; which was read.

House bill No. 552, was taken up with the substitute recommended by a majority of the St. Louis Delegation.

Pending the consideration of the bill and substitute,

Mr. O'Malley presented the following minority report, as a substitute for the majority report.

MR. SPEAKER: The undersigned members of the Committee of the St. Louis Delegation, to whom was referred House bill No. 552, entitled An act to repeal an act concerning street railroads in the city of St. Louis, approved January 16, 1860, beg leave to report

against the recommendation that the substitute, presented by the committee, do pass, for the following reasons:

1. So far as the same would affect the city of St. Louis, it is legislation for the benefit of a small section of the city against the interests of nine-tenths of its citizens and property.

2. So far as the same would affect street railroad interests, it is for the benefit of two private street railroad speculations, one completed and the other now in progress, against the rights, interests and property of the other companies.

3. That it attempts indirectly to over-ride the decisions of the circuit court of St. Louis, the court of appeals and the supreme court of this State, for the benefit of two corporations who have deliberately violated the law of this State.

4. That we are informed by high legal authority, and believe, that the original bill and the substitute proposed are unconstitutional.

5. In so far as the substitute affects other cities, towns and villages, no such legislation has been asked from them, and they have had no hearing upon the matter.

6. And whereas, the original bill was a local and special act, referring only to one act and the city of St. Louis, and the substitute reported is a general law repealing many laws, and affecting all the street railroads in the State; and whereas, the legislation proposed is very important, and the St. Louis Delegation is divided thereon, we ask that the original bill and substitute be referred to the Committee on Internal Improvements, to whom it properly belongs.

MARTIN O'MALLEY,

J. R. CARROLL,

HUGH J. BRADY,

THOS. SMITH,

CHAS. A. POLLOCK.

Which was read.

Mr. O'Malley moved that the substitute, bill and reports, be referred to the Committee on Internal Improvements.

The ayes and noes being demanded, the motion to refer to the Committee on Internal Improvements, was not agreed to by the following vote:

AYES—Messrs. Brady, Brown, Carroll, Coleman, Craig, Drum, Hammons, Knight, McKinney, O'Malley, Pollock, Ragan, Rawlings, Saunders, Settles, Smith of St. Louis city and Wells—17.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Berry, Bohannon, Bonham, Booth, Brewer, Bryan, Burford, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Cooper, Cowan of Holt, Cowan

of Christian, Cox, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dougherty, Dryden, Ellis, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Riley, Reynolds, Souder, Spring, Swank, Taylor, Waggener, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—91.

ABSENT—Messrs. Bashaw, Beckner, Berryman, Boulware, Bowman, Campbell of Atchison, Chilton, Collins, Cook, Davis, Dilley, Ewing, Farr, Finks, Freed, Lackland, Maynard, Patterson of Linn, Patterson of Schuyler, Smith of Cedar, Talbot, Turner and Tevis—23.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, McDaniel, Vancleve and Wiley—5.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Tiernan and Warren—6.

NOT VOTING—Mr. Speaker—1.

The question recurring upon adopting the minority report as a substitute for the majority report; it was not adopted.

Mr. Davis rose to a point of order, and stated that the substitute offered by the committee was out of order, for the reason that it changed the original scope of the bill.

The Speaker decided the point of order not well taken.

The question recurring upon agreeing to the substitute recommended by a majority of the St. Louis Delegation; the substitute was read and agreed to, and, on motion, ordered engrossed and printed.

The special order, being the consideration of substitute for House bill No. 408, entitled An act to pay for outstanding Union military bonds; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Berry, Boulware, Bowman, Brady, Burford, Carleton, Cowan of Holt, Craig, Crowther, Dale, Davis, Dilley, Drum, Dryden, Johnson, Lackland, Mabrey, Morrison, Mudd of St. Louis, Phelan, Powers, Ragan, Riley, Saunders, Wells, Wisby and Mr. Speaker—27.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Bohannon, Bonham, Booth, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Crow, Dade, Dawson, Diercks, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Greer,

Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Miles, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Pehle, Pepper, Pollard, Powell, Price, Rawlings, Reynolds, Settles, Souder, Spring, Swank, Taylor, Turner, Waggener, Weygandt, Whitaker, Wiley, Windes, Withers and Younger—82.

ABSENT—Messrs. Arnold, Berryman, Gray, Hall, Harrigan, Hynes, Kendall, Kneisley, Manistre, Maynard, Moler, Mott, McCormick of St. Louis city, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Smith of Cedar, Smith of St. Louis city, Talbot and Tevis—21.

ABSENT WITH LEAVE—Messrs. Anderson, Cock, Foster, Gwynne, McDaniel, Pollock and Vancleve—7.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson, Tiernan and Warren—6.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 568, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals, etc., from running at large, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

House bill No. 568; was taken up, with the following amendment recommended by the St. Louis Delegation:

Amend by striking out after the word "owner," in third line from top of page, "unless the same be herded on lands of the owner, or other uninclosed lands not used by the owner," and insert after the word, "owner," in fifth line from top of page, the following: "But in the city of St. Louis the same may be herded on lands of the owner or other uninclosed lands in said city not used by the owner;" which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

On motion of Mr. Farr, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Speaker Belch in the chair.

The following message was received from the Governor through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
April 18, 1879. }

Hon. J. ED. BELCH, Speaker of the House of Representatives :

SIR: I return to the House, with my approval indorsed thereon, Joint and concurrent resolution concerning certain lands in the State of Missouri.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 615, entitled An act to admit Henry K. Legg, of Barry county, to the practice of medicine and surgery in this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 567, entitled An act to amend section 5 of an act entitled an act for the classification of cities and towns, approved April 21, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 451, entitled An act to establish a bureau of labor statistics, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 525, entitled An act to regulate the salary of the circuit attorney of the 8th judicial circuit in the State of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 542, entitled An act to amend chapter 205 of the General Statutes of the State of Missouri, being article 7 of Wagner's Statutes, entitled offenses against the public peace or affecting the security of persons and property not before enumerated, by adding to said chapter the following new section, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 626, entitled An act to amend an act entitled an act to abolish the offices of circuit and county attorneys, and to provide for the election of prosecuting attorney, by adding a new section thereto, to be designated as section five, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 612, entitled An act to repeal the 4th section of an act entitled an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, the jurisdiction, terms and circuits, and to provide additional compensation for the judge of the 16th judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the 16th judicial circuit, approved March 17, 1871, beg leave to report that they have examined the same and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 622, entitled An act declaring advertising rebates illegal, and providing penalties for violation thereof, beg leave to report that they have examined the same, and find it truly

engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred substitute No. 18 for Senate bill No. 52, entitled An act to revise and amend chapter 150 of the General Statutes of the State of Missouri, concerning actions on penal bonds, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 18 for Senate bill No. 52, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Weygandt, Windes, Withers and Mr. Speaker—106.

ABSENT—Messrs. Beckner, Berryman, Booth, Burford, Brady, Campbell of Atchison, Dade, Dale, Davis, Diercks, Haynes, Hynes, Lesueur, Morrison, Mudd of St. Louis, Patterson of Linn, Smith of Cedar, Talbot, Tevis, Waggener, Whitaker, Wisby and Younger—23.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, McDaniel, McIntyre, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Bashaw for three days.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 279, entitled An act to amend an act entitled an act to amend chapter 98 of the General Statutes of the State of Missouri, approved February 25, 1869, concerning the selling of wine by wine growers, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 279; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Crow, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Kendall, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—93.

NOES—Messrs. Burford, Cowan of Christian, Craig, Gwynne, Hayes, Ingram, Johnson, Kneisley, Knight and Souder—10.

ABSENT—Messrs. Beckner, Berryman, Brady, Chitwood, Cox, Crowther, Dade, Dale, Davis, Diercks, Haynes, Hynes, Lackland, Lesueur, Miles, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, Patterson of Linn, Pepper, Smith of Cedar, Talbot, Tevis, Waggener, Wisby and Younger—27.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, McIntyre, Pollock, Taylor, Vancleve and Wiley—8.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 697, entitled An act to make mali-

cious libel a felonious offense, and to provide for the punishment of the same, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 697; was taken up, and, on motion, referred to the Committee on Judiciary.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 652, entitled An act commuting the time of imprisonment of persons confined in the county and city jails under sentence therein, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 652; was taken up, and, on motion, ordered engrossed and printed.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 646, entitled An act separating the offices of sheriff and jailer, and providing for the election of a jailer, having had the same under consideration, beg leave to report said bill back to the House without recommendation; which was read.

House bill No. 646; was taken up, and, on motion, ordered engrossed and printed.

Mr. Ragan, from the Committee on Local Bills, submitted the following report:

MR. SPEAKER: Your Committee on Local Bills, to whom was referred House bill No. 680, entitled An act to regulate the practice of medicine and surgery in Pemiscot county, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 680; was taken up, and, on motion, ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House bill No. 588, entitled An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 588; was taken up, and, on motion, ordered engrossed and printed.

Mr. Ewing, from the Special Committee on House bill No. 350, submitted the following report:

MR. SPEAKER: Your Special Committee on House bill No. 350, to whom was referred House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue, beg leave to report that they have considered the same, and recommend that the substitute No. 1 and substitute No. 2, herewith submitted, do pass; which was read.

House bill No. 350; was taken up, with substitutes Nos. 1 and 2 recommended by the Special Committee.

Substitute No. 1 for House bill No. 350, entitled An act to appropriate money to pay revenue bonds; was read and agreed to, and, on motion, ordered engrossed and printed.

Substitute No. 2 for House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue; was read.

The question being upon agreeing to the substitute,

The ayes and noes were demanded, and the substitute was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Berry, Bohannon, Bonham, Boulware, Bowman, Brady, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Diercks, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Hayes, Hall, Ham, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phealan, Pollard, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Whitaker, Windes, Withers and Younger—93.

NOES—Messrs. Booth, Brown, Cooper, Davis, Dawson, Dilley, Drum, Gray, Gwynne, Hammons, Kneisley, Lackland, Lockhart, Maynard, McIntyre, Powell, Ragan, Settles, Weygandt and Wisby—20.

ABSENT—Messrs. Beckner, Berryman, Brewer, Dade, Hale, Harigan, Kendall, Lesueur, Louthan, Morrison, Mudd of St. Louis, Patterson of Linn, Smith of Cedar, Talbot, Tevis, Waggener and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, McDaniel, Pollock, Taylor, Vancleve and Wiley—8.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

On motion, the substitute was ordered engrossed and printed.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report :

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred Senate substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county seats, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 for Senate bill No. 101; was taken up.

Mr. Farr offered the following amendment :

Amend section 1 by striking out all of said section after the word "year," in the seventh line; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Andrews, Berry, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Carroll, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Gwynne, Hayes, Hall, Ham, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Rawlings, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Warren, Wells, Withers and Mr. Speaker—90.

NOES—Messrs. Alldridge, Beckner, Bonham, Burford, Carleton, Greer, Hale, Powell, Ragan, Turner and Wisby—11.

ABSENT—Messrs. Arnold, Berryman, Campbell of Atchison, Chenoweth, Collins, Dade, Davis, Finks, Hammons, Johnson, Kendall, Lesueur, Miles, Moler, Mott, Mudd of St. Louis, O'Malley, Patterson of Linn, Saunders, Souder, Smith of Cedar, Talbot, Tevis, Waggener, Weygandt, Whitaker, Windes and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, Dryden, McDaniel, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed.

Mr. Pollard moved to lay the motion to reconsider on the table; which was agreed to.

The Speaker, in pursuance of House resolution, adopted Wednesday, April 15, 1879, appointed the following special committee to investigate the claims due the State from the Hannibal and St. Joseph Railroad: Messrs. Dade, Brown and Wells.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report:

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred substitute No. 3 for Senate bill No. 101, entitled An act to revise and amend chapter 37 of the General Statutes of the State of Missouri, concerning county contracts and suits by and against counties, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 3 for Senate bill No. 101; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lackland, Laramore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Warren, Wells, Weygandt, Windes, Wisby and Withers—104.

ABSENT—Messrs. Arnold, Beckner, Berryman, Burford, Cowan of Christian, Dade, Finks, Gwynne, Hall, Harrington, Ingram, Knight, Lesueur, Louthan, Mudd of St. Louis, Patterson of Linn, Pepper, Smith of Cedar, Talbot, Tevis, Turner, Waggener, Whitaker, Younger and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, Dryden, McDaniel, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER:—Your Committee on St. Louis Delegation, to whom was referred House bill No. 701, entitled An act to provide for publication of judicial notices, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 701; was taken up, with the substitute recommended by the St. Louis Delegation.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate bill No. 268, entitled An act to amend sections 10 and 13 of an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of an act entitled an act to provide for the assessment of railroad property and the collection of taxes thereon, approved March 15, 1875, beg leave to report that they have considered the same, and report it back to the House, without recommendation; which was read.

Senate bill No. 268; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Berry, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Craig, Crow, Crowther, Dale, Davis, Dawson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—101.

NOES—Messrs. Burford, Cox, Hynes, Johnson and Pollard—5.

ABSENT—Messrs. Beckner, Berryman, Booth, Bowman, Campbell of Atchison, Cowan of Christian, Dade, Diercks, Dilley, Gwynne, Haynes, Hubbard, Lesueur, Miles, Morrison, Mudd of St. Louis, O'Malley, Organ, Patterson of Linn, Ragan, Smith of Cedar, Talbot, Tevis, Waggener and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Bashaw, Cock, McDaniel, Pollock, Taylor, Vancleve and Wiley—7.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crowther, Dale, Davis, Dawson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—106.

ABSENT—Messrs. Arnold, Beckner, Berry, Berryman, Bohannon, Campbell of Atchison, Cox, Crow, Dade, Diercks, Dilley, Ewing, Hubbard, Lesueur, Manistre, Miles, Mudd of St. Louis, Patterson of Linn, Smith of Cedar, Swank, Talbot, Tevis, Waggener and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, Gwynne, McDaniel, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Harrington offered the following amendment to the rules of the House:

Amend section 5, article 2 of the rules of the House so as to substitute the word "six," in the last line, which said rule, when so amended, shall read as follows:

SECTION 5. He shall examine and correct the journal before it is read; he shall have a general direction and superintendence of the hall; he shall have a right to substitute any member to perform the duties of the chair, but such substitution shall not extend beyond six days; which was read and laid over.

House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshals, coroners, and all clerks of courts of record, and other officers, to keep an account of and pay over fees of witnesses and others when collected by them, approved March 24, 1874; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Turner, Warren, Whitaker, Windes, Wisby, Withers and Younger—110.

NOES—Messrs. Boulware, Wells and Weygandt—3.

ABSENT—Messrs. Berryman, Campbell of Atchison, Dade, Freed, Knight, Lesueur, Mudd of St. Louis, Miles, O'Malley, Patterson of Linn, Smith of Cedar, Swank, Talbot, Tevis, Waggener and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, Dryden, McDaniel, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Harrigan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 20 for Senate bill No. 52, entitled An act to revise and amend chapter 152 of the General Statutes of Missouri, concerning partitions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 3 in part for Senate bill No. 100, entitled An act to amend and revise the act entitled an act for the classification of cities and towns; was called up, read the second time, and, on motion, referred to the Committee on Bank and Corporations.

Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 142, and in part for No. 100, entitled An act for the government of cities of the fourth-class; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate bill No. 251, entitled An act in relation to courts of record in the city of St. Louis, and imposing additional duties upon the sheriff in relation thereto; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 280, entitled An act to amend section 1 of an act entitled an act to define and conform the laws of the State to section 23 of article 9 of the Constitution, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 281, entitled An act to repeal an act entitled an act relating to the office of marshal of the city of St. Louis, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 282, entitled An act to repeal an act entitled an act in relation to final process from courts of record in the city of St. Louis, and the duty of certain officers relative thereto, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 290, entitled An act to amend section 32 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of the criminal courts, in counties having a population exceeding fifty thousand; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Mr. Wells, from the Committee on Retrenchment and Reform, submitted the following report :

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 53, entitled Joint and concurrent resolution relating to adjournment of the Thirtieth General Assembly, beg leave to report that they have considered the same, and recommend that it be referred to the Joint Committee on Revision; which was read.

House joint and concurrent resolution No. 53; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Wells, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 655, entitled An act to repeal an act entitled an act to regulate the maximum amount of fees to be retained by clerks of circuit courts in all counties and cities not within the limits of a county having a population of three hundred thousand inhabitants or more, approved April 28, 1877, beg leave to report that they have considered the same and recommend that it be referred to the Committee on St. Louis Delegation.

House bill No. 655; was taken up, and, on motion, referred to the St. Louis Delegation.

Mr. Wells, from the Committee on Retrenchment and Reform submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 679, entitled An act prevent fraud and to protect the public health, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 679; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 631, entitled An act to amend section 31 of chapter 38 of the General Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 631; was taken up, with the substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 316, entitled An act for the relief of L. C. Lohman, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 316; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 461, entitled an act for the relief and benefit of S. W. Smith and J. R. Jones, of Benton county, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House bill No. 461; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate maney therefore, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 657; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 639, entitled An act granting a pension to Frederick Miller, on account of injuries received, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 639; was taken up, and, on motion, ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 579, entitled An act for the relief of the heirs of Wm. Riggins, deceased, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 579; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred substitute for Senate bills Nos. 127 and 146, entitled An act to appropriate money for the payment to Winfield S. Thompson, John L. Herndon and Mrs. Kate C. Mitchell, for outstanding Union military bonds, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

Senate substitute for Senate bills Nos. 127 and 146; was taken up, and, on motion, laid over informally.

Mr. Cox, from the Committee on Permanent Seat of Government, submitted the following report:

MR. SPEAKER: Your Committee on Permanent Seat of Government, to whom was referred House bill No. 666, entitled An act to appropriate money for repairs of fences and inclosures of the Capitol grounds, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

House bill No. 666; was taken up, with the following amendment recommended by the Committee on Permanent Seat of Government:

Amend section 1, line 7, by striking out the figures "\$1,200," and insert "\$1,000;" which was read and agreed to.

The question being upon the engrossment and printing of the bill, the House refused to order the bill to engrossment and printing.

Leave of absence was granted Mr. Swank for eight days.

House bill No. 559, entitled An act to amend an act entitled an act to amend section 52 of chapter 34 of the General Statutes of Missouri, the same being section 52 of chapter 39 of Wagner's Statutes of 1872, and also section 1 of an act entitled an act amendatory of chapter 34, title 11 of the General Statutes of the State of Missouri, approved March 24, 1868, so far as the same applies to Miller county only, the same being section 83 of chapter 39 of Wagner's Missouri Statutes of 1872, approved March 29, 1875, and to provide for an election in Miller and Camden counties, upon the proposition to strike off a portion of Miller county, and to add the same to Camden county; was called up, read the third time and failed to pass by the following vote:

AYES—Messrs. Bonham, Boulware, Bowman, Brady, Brown, Burford, Carleton, Carroll, Coleman, Davis, Dawson, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Greer, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Hubbard, Helm, Kneisley, Lackland, Louthan, Mabrey, Mahn, Moler, McCormick of St. Louis city, McKinney, O'Malley, Patterson of Schuyler, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Wells, Windes and Wisby—48.

NOES—Messrs. Alldridge, Andrews, Booth, Brewer, Bryan, Burrows, Campbell of Atchison, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Crow, Diercks, Drum, Hayes, Ingram, Kendall, Larimore, Lockhart, Lynn, Mackey, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Pehle, Pepper, Pollard, Powell, Price, Reynolds, Turner, Weygandt, Whitaker and Withers—44.

ABSENT—Messrs. Adams, Arnold, Beckner, Berry, Berryman, Bohnannon, Chitwood, Craig, Crowther, Dade, Dale, Foster, Freed, Gwynne, Haynes, Harrison, Hynes, Johnson, Knight, Lesueur, Manistree, Maynard, Miles, Morrison, Mott, Mudd of St. Louis, Patterson of Linn, Phelan, Souder, Smith of Cedar, Swank, Talbot, Tevis, Waggener, Warren, Younger and Mr. Speaker—37.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Cock, Dryden, McDaniel, Pollock, Taylor, Vancleve and Wiley—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Creager, Dodson and Tiernan—5.

Mr. Harrison moved to reconsider the vote by which the bill failed to pass.

Mr. Hayes moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 553; was called up, and, on motion, made the special order for Tuesday, April 22, at 10 o'clock A. M.

On motion of Mr. Windes, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-FOURTH DAY—SATURDAY, April 19, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Davis called up the resolution offered by Mr. Cox on yesterday morning, amending the rules of the House; which was read and adopted.

Mr. Hayes offered the following resolution:

WHEREAS, Speaker *pro tem.* of this House, Hon. R. A. Campbell, has been and is still detained from his seat by reason of protracted and severe sickness; therefore be it

Resolved, That the House do proceed to elect a Speaker *pro tem.*, to hold and perform the duties of that office during the absence of the Speaker *pro tem.* elect, or to the end of the present session of this General Assembly; which was read.

On motion of Mr. Hayes, the further consideration of the resolution was postponed until Monday, April 21.

Mr. Hynes offered the following resolution :

Resolved, That the Official Reporter of this House be instructed to insert in his report of the proceedings for publication in the DAILY TRIBUNE, the names of the members who are absent without leave at each calling of the ayés and noes hereafter; which was read and agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 534, entitled An act authorizing county courts to correct swamp land entries, patents and records, and find the same truly and correctly enrolled; which was read.

House bill No. 534; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 176, entitled An act to amend section 28 of chapter 206 of the General Statutes of Missouri, and find the same truly and correctly enrolled; which was read.

House bill No. 176; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Collins, from the Committee on Federal Relations, submitted the following report :

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 48, entitled Concurrent resolution memorializing Congress for the passage of a bill graduating the price of public lands, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House concurrent resolution No. 43; was taken up, with the substitute recommended by the Committee on Federal Relations; the substitute was read and not agreed to.

The question being upon the engrossment and printing of the resolution; the House refused to order the resolution to engrossment and printing.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for Senate bills No. 57 and 108, entitled An act to revise and amend title 30 of the General Statutes of the State of Missouri, concerning voluntary assignment.

Also the Senate has taken up House amendments to substitute No. 7 for Senate bill No. 52, and concurred in No. 3, and refused to concur in Nos. 1 and 2, and ask the House to recede therefrom.

Also the Senate has taken up and passed House bill No. 479.

Also taken up, amended and passed substitute for House bill No. 396; which was read.

Mr. Wells, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 643, entitled An act to regulate fees, beg leave to report that they have considered the same, and recommend that it be referred to the Joint Committee on Revision; which was read.

House bill No. 643; was taken up, and, on motion, referred to the Joint Committee on Revision.

Senate substitute for Senate bills No. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases; was taken up, with the following House amendments, in which the Senate refused to concur:

Amendment No. 1—Amend section 288 by adding thereto the following words:

Provided, That the order in which civil and criminal cases are above directed to be docketed, may be changed, from time to time, by order of the court or of the judge thereof; was read, and the House refused to recede therefrom.

Amendment No. 6—Amend section 334, so as to read as follows:

SECTION 334. Each opinion of the Supreme Court shall contain a statement of the facts upon which it is based, unless the preparation of such statement be by the court left to the Supreme Court reporter; *Provided*, That in each case which, prior to the first day of August, eighteen hundred and eighty-one, shall be affirmed or reversed without being remanded for further action, the written opinion of the

court may state simply the points decided, and the ruling of the court thereupon; was read, and the House refused to recede therefrom.

Amendment No. 7—Amend section 34 of the printed bill by striking out the words, “for quieting title to real estate,” in the second and third lines thereof, and by striking out the words, “and in suits for quieting title” in the eighteenth line thereof, and the words, “and the real estate, the title to which is sought to be quieted,” in the nineteenth and twentieth lines thereof; was read, and the House refused to recede therefrom.

Amendment No. 8—Amend section 102, by adding thereto the following words: “If any person who shall be proceeded against under the provisions of this section, shall be a non-resident of this State, the fact of non-residence shall be alleged in the petition, and the order of notice made by the court, shall be returnable to the first day of the next regular term of the court making such order, and may be renewed from time to time, as occasion may require, and all orders made under the provisions of this section against non-residents of this State, shall be served by delivering a duly exemplified copy thereof, to such non-resident at any place within or without this State, by any person above the age of twenty-one years not incompetent to testify as a witness in the cause, and being proved by the affidavit or deposition of such person, such service shall be as effectual, as if made by a duly authorized officer in this State, upon a resident thereof;” was read, and the House refused to recede therefrom.

Amendment No. 21—Amend by striking out section 288, and inserting the following:

“SECTION 288. One of such dockets shall be known as the court docket, the other as the bar docket, and shall be arranged appropriately with spaces for the names of attorneys, and brief statements of the orders and judgments of the court in the respective cases. Such cases shall be docketed as follows: First, all criminal cases; second, all civil cases for trial; third, the return cases, showing whether process has been served or not;” was read, and the House refused to recede therefrom.

Mr. Davis moved that a committee of conference, consisting of three members, be appointed by the Speaker to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 1, 6, 7, 8 and 21, to Senate substitute to Senate bills Nos. 60 and 204; which was agreed to.

The Speaker appointed as said committee on the part of the House, Messrs. Davis, Wells and Booth.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 46, entitled Concurrent resolution submitting to the legal voters of the State of Missouri an amendment to the State Constitution in relation to Clerk of the Supreme Court of Missouri, beg leave to report that they have considered the same, and recommend that the same be not adopted; which was read.

House concurrent resolution No. 46, was taken up, and, on motion, indefinitely postponed.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred resolution No. 56, entitled Resolution of instruction to the Judiciary Committee of the House of Representatives on the subject of elections and manner of voting, beg leave to report that they have considered the same, and as the mover expressly requests the consideration of the same by the Judiciary Committee, and, further, as so much at least of the resolution as relates to the subject of elections, appropriately belonging to that Committee, this your Committee on Constitutional Amendments respectfully recommend the reference of the resolution to the Committee on the Judiciary; which was read.

House resolution No. 56, was taken up, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 273, entitled an Act to amend sections 6 and 8 of an act entitled an act to regulate the practice of pharmacy in the city of St. Louis, approved February 2, 1874; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange, and negotiable promissory notes; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate resolution No. 12 for Senate bill No. 82, entitled An act to revise and amend chapter 101 of the General Statutes of the State of Missouri, concerning mills and mill-dams; was taken up, read at length by the Clerk, and signed by the Speaker without objections.

Senate substitute No. 8 for Senate bill No. 82, entitled An act to revise and amend chapter 92 of the General Statutes of the State of Missouri, concerning sureties and their discharge; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Wells, from Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 432, entitled An act to repeal an act entitled an act to amend section 32 of chapter 38 of the General Statutes of Missouri, the same being section 32 of article 4 of chapter 40 of Wagner's Missouri Statutes, relating to county clerks and their duties, approved February 28, 1873, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 432; was taken up, and, on motion, referred to the Joint Committee on Revision.

Substitute No. 4 for Senate bills Nos. 101 and 18, entitled An act to revise and amend chapter 38 of the General Statutes of the State of Missouri, concerning county treasuries; was called up, and read the first time.

Substitute for Senate bills Nos. 215, 216, 217 and 218, entitled An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such funded indebtedness, and repealing certain acts, approved March 27, 1875, April 12, 1877, and April 14, 1877, and all other acts and parts of acts inconsistent with this act; was called up, and read the first time.

Senate bill No. 272, entitled An act for the improvement of the Capitol building, State armory and Supreme Court building, and to appropriate money therefor; was called up, and read the first time.

Senate bill No. 247, entitled An act requiring certain officers to pay over fees to the treasurers of certain municipalities; was called up and read the first time.

Senate bill No. 332, entitled An act to provide for the establishment of parks in cities, and providing the manner for the appropriation and valuation of lands taken therefor; was called up, and read the first time.

House bill No. 612, entitled An act to repeal section 4 of an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory

act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit, approved March 17, 1871; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Souder, Smith of St. Louis city, Spring, Turner, Waggener, Warren, Wells, Weygandt, Windes, Withers and Mr. Speaker—89.

ABSENT—Messrs. Arnold, Beckner, Brady, Burford, Chenoweth, Collins, Cowan of Christian, Craig, Crowther, Dilley, Haynes, Harrigan, Harrington, Larimore, Louthan, Manistre, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McKinney, O'Malley, Pehle, Powers, Ragan, Settles, Smith of Cedar, Tevis, Whitaker, Wisby and Younger—32.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Berryman, Campbell of Atchison, Cock, Dryden, Farr, Foster, Gwynne, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve and Wiley—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson and Tiernan—4.

House bill No. 615, entitled An act to admit Henry K. Legg of Barry county to the practice of medicine and surgery in this State; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burrows, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Creager, Crow, Dade, Dale, Davis, Dawson, Diercks, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Hale, Ham, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles,

Smith of St. Louis city, Spring, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—90.

NOES—Mr. Powell—1.

ABSENT—Messrs. Arnold, Boulware, Brady, Burford, Cowan of Holt, Craig, Crowther, Dilley, Dougherty, Hayes, Hall, Hammons, Harrigan, Harrington, Larimore, Lesueur, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McKinney, O'Malley, Souder, Smith of Cedar, Tevis, Waggener, Wisby and Younger—29.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Berryman, Campbell of Atchison, Cock, Dryden, Farr, Foster, Gwynne, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve and Wiley—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The Speaker, by authority vested in him by section 5 of article 2 of the amended rule of the House, appointed Mr. Lesueur to preside as Speaker *pro tem.*, over the deliberations of the House for the ensuing week, commencing Monday, April 21st, and ending Saturday, April 26.

On motion of Mr. Collins, the House adjourned until Monday morning at 9 o'clock.

EIGHTY-FIFTH DAY—MONDAY, April 21, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Price offered the following resolution :

Resolved, That the Commissioner of the Permanent Seat of Government be required to take up and renovate and clean the carpet of

this Hall and the floor, previous to the meeting of the next General Assembly, and the labor employed in such work be convict labor; which was read and adopted.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 479, entitled An act to repeal section 2 of an act entitled An act in relation to the public institutions of the State, approved April 28, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 479 was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Senate substitute for Senate bills Nos. 57 and 108, entitled An act to revise and amend title 30 of the General Statutes of the State of Missouri, concerning voluntary assignment; was called up and read the first time.

Senate substitute No. 4 for Senate bills Nos. 101 and 118, entitled An act to revise and amend chapter 38 of the General Statutes of the State of Missouri, concerning county treasuries; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

Senate substitute for Senate bills Nos. 215, 216, 217 and 218, entitled An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such funded indebtedness, and repealing certain acts, approved March 27, 1875, April 12, 1877, and April 14, 1877, and all other acts and parts of acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 247, entitled An act requiring certain officers to pay over fees to the Treasurer of certain municipalities; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 272, entitled An act for the improvement of the capitol building, State armory and supreme court building, and to appropriate money therefor; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 332, entitled An act to provide for the establishment of parks in cities, and providing the manner for the appropriation and valuation of lands taken therefor; was called up, read the

second time, and, on motion, referred to the Committee on Banks and Corporations.

Leave of absence was granted to Mr. Arnold for ten days.

Leave of absence was granted to Mr. Wisby for two days.

Leave of absence was granted Mr. Craig for two days.

Leave of absence was granted Mr. Harrington for one day.

Messrs. Gray and Freed were reported sick.

House bill No. 621, entitled An act to provide for the prosecution or defense, as the case may require, of all appeals and writs of error to which the State is a party in the St. Louis Court of Appeals; was called up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Beckner, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Creager, Crow, Crowther, Dade, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—95.

NOES—Messrs. Johnson—1.

ABSENT—Messrs. Berry, Brady, Burford, Carroll, Craig, Dale, Davis, Dawson, Diercks, Freed, Hall, Harrigan, Harrington, Kendall, Larimore, Louthan, Mott, Mudd of St. Louis, O'Malley, Pehle, Smith of Cedar, Windes, Wisby, Withers and Younger—25.

ABSENT WITH LEAVE—Messrs. Arnold, Bashaw, Berryman, Cock, Dryden, Foster, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley and Mr. Speaker—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Gray, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. Pepper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 612, entitled An act to repeal section 4 of an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of

chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit, approved March 17, 1871; was called up.

Mr. McIntyre offered the following amendment to the title of the bill.

Amend title by striking out of the first line thereof the words, "the fourth section of;" which was read and agreed to.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE. }
JEFFERSON CITY, Mo., April 19, 1879. }

HON. J. ED. BELCH, Speaker of the House of Representatives:

SIR: I return to the House, with my approval indorsed thereon, bills of the following titles:

An act authorizing county courts to correct swamp land entries, patents and records.

An act to amend section 28 of chapter 206 of the General Statutes of Missouri.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Senate substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishment; was called up.

Mr. Anderson moved that the House recede from House amendment No. 2; which was agreed to.

Mr. Anderson offered the following amendment:

Amend by striking out section 43, and insert in lieu thereof the following: All acts or parts of acts inconsistent with this act are hereby repealed; which was read and agreed to.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bill No. 509, entitled An act to provide for the purchase and supplying of school books for the use of the different

school districts in the State of Missouri, beg leave to report that they have considered the same, and report it back, without recommendation; which was read.

House bill No. 509; was taken up, and, on motion, ordered printed for information.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 353, entitled An act supplemental to and amendatory of an act entitled an act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, etc., approved February 1, 1871, approved March 24, 1879, etc., in which the concurrence of the House is respectfully requested; which was read.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 673, entitled An act to appropriate money to rebuild Asylum No. 2, and to appoint commissioners to superintend the erection of the same, beg leave to report that they have considered the same, and report it back, without recommendation; which was read.

House bill No. 673; was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 665, entitled An act allowing ex-county collectors and their attorneys one half of the commissions on judgments obtained for back taxes by them, beg leave to report that they have considered the same, and report it back, without recommendation; which was read.

House bill No. 665; was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 613, entitled An act declaring certain State bonds due and payable, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 613; was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 638, entitled An act to appropriate money, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

House bill No. 638; was taken up with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend section 4 by adding the following words: "For the purchase of scrap-book bond registers, and for arranging the coupons and bonds thereon, one thousand dollars, (\$1,000.00); which was read and agreed to.

Amendment No. 2—Add a new section, to be numbered section 5, which shall read as follows:

SECTION 5. There is hereby appropriated out of the State Treasury, chargeable to the executors and administrators fund, the sum of thirteen thousand dollars, (\$13,000.00); which was read and adopted.

Amendment No. 3—Add a new section to be numbered section 6, which shall read as follows:

SECTION 6. There is hereby appropriated out of the State Treasury, chargeable to the swamp land indemnity fund, sixty-four thousand, four hundred and thirty dollars and seventy-four cents, (\$64,430.74); which was read and agreed to.

Amendment No. 4—Add a new section, to be numbered section 7, which shall read as follows:

SECTION 7. There is hereby appropriated out of the State Treasury, chargeable to the road and canal fund, three hundred and eighty-six dollars and seventy-three cents, (\$386.73); which was read and agreed to.

Amendment No. 5—Strike out the whole of section 5, and insert in lieu thereof the following, to be numbered as section 8:

SECTION 8. This act shall take effect and be in force from and after its passage, the emergency being that there is now no authority for drawing money out of the several funds mentioned in this bill, without an appropriation being made therefor; which was read and agreed to.

On motion, the bill as amended, was ordered engrossed and printed.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 413, entitled An act directing the State Auditor to audit a bill of criminal costs in favor of De N. Jewett, circuit clerk of Schuyler county, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 413; was taken up, and, on motion, laid on the table.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 20 for Senate bill No. 52, being an act to revise and amend chapter 152 of the General Statutes of Missouri, concerning partitions, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 20 for Senate bill No. 52; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Davis, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—93.

NOES—Messrs. Beckner, Dade and Ingram—3.

ABSENT—Messrs. Alldridge, Brady, Carroll, Dale, Dawson, Diercks, Gwynne, Hall, Harrigan, Helm, Kendall, Knight, Larimore, Louthan, Moler, Mott, Mudd of St. Louis, Pehle, Smith of Cedar, Windes, Withers and Younger—22.

ABSENT WITH LEAVE—Messrs. Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Knight was reported sick.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 493, entitled An act to provide for filling the office of recorder of deeds in all counties wherein such office has been separated from the office of county clerk, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bills Nos. 157 and 457, entitled An act to amend section 8 of chapter 98, General Statutes of 1865, entitled dramshop keepers and their licenses, beg leave to report that they have examined the same, and find it truly engrossed and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis, by the city, State and schools, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House concurrent resolution No. 49, entitled Joint and concurrent resolution authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the Government of the United States, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 581, entitled An act amending section 33 of an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 623, entitled An act providing for the removal of justices of the peace and ministerial officers, for extortion, malfeasance or oppression in office, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 552, entitled An act relating to street railways, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 390, entitled An act amending section 11 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1879, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Cook, from the Special Committee on Clerks, Employes, Committee Rooms, etc., submitted the following report:

MR. SPEAKER: Your committee, appointed to inquire into and report to this house what number of committee clerks, pages and other employes of this House, can be dispensed with, without hindrance to the successful performance of its duties, beg leave to make the following report, and recommend its adoption:

The immediate payment of and dismissal of the clerks on Federal Relations, Banks and Corporations and St. Louis Delegation, three clerks in the Engrossment Rooms, and the clerks of Penitentiary, Ju-

diary and Ways and Means Committees, as soon as the bonds in the Treasurer's office are punched, two Pages, Assistant Folder, Assistant Messenger and five employes of the House, to be designated by the Doorkeeper. And the rent to cease for all rooms in the city, rented for committees of the House, except the room now occupied by the Enrolling Committee. All of which is respectfully submitted; which was read.

Mr. Haynes offered the following amendment to the report:

Strike out all that part of report which discharges engrossing clerks; which was read and not agreed to.

Mr. Cloud offered the following amendment to the report:

Amend by striking out two pages and insert one; which was read.

Mr. McCormick of St. Louis city moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table was not agreed to by the following vote:

AYES—Messrs. Bryan, Carleton, Chitwood, Collins, Dilley, Farr, Gwynne, Hayes, Ham, Hammons, Haynes, Helm, Johnson, Kneisley, Maynard, McCormick of St. Louis city, O'Malley, Phelan, Price, Ragan, Saunders and Smith of St. Louis city—22.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Chenoweth, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Piercks, Dougherty, Drum, Ellis, Ewing, Finks, Greer, Hale, Hubbard, Hynes, Ingram, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Rawlings, Riley, Reynolds, Settles, Souder, Spring, Tevis, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—76.

ABSENT—Messrs. Brady, Carroll, Dale, Hall, Harrigan, Kendall, Lackland, Larimore, Lesueur, Louthan, Miles, Mott, Mudd of St. Louis, Pehle, Smith of Cedar, Windes, Withers and Younger—18.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The question recurring upon agreeing to the amendment, it was not agreed to.

Mr. Hayes moved that the report be recommitted to the committee; which was not agreed to.

Mr. Ingram moved that the further consideration of the report be postponed until Wednesday; which was not agreed to.

Mr. Dilley offered the following amendment to the report:

Amend by adding Doorkeeper, Sergeant-at-Arms and Chaplain; which was read and not agreed to.

The question recurring upon the adoption of the report, it was adopted.

Mr. Waggener moved to reconsider the vote by which the report was adopted; which was not agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the President has appointed Senators Hockaday, Parrish and Wilson as a Committee of Conference on the part of the Senate to consider substitute for Senate bills Nos. 60 and 204, entitled An act concerning practice in civil cases;

Also, that the Senate has taken up, amended and passed House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of the State of Missouri, and all acts amendatory thereof relating to juries; which was read.

House bill No. 451, entitled An act to establish a bureau of labor statistics; was taken up.

Mr. McCormick of St. Louis city moved to postpone the further consideration of the bill until Wednesday, April 23, 1879; which was agreed to.

House bill No. 525, entitled An act to regulate the salary of the circuit attorney of the eighth judicial circuit in the State of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Spring, Turner, Waggener, Warren, Weils and Weygandt—87.

NOES—Messrs. Gwynne, Johnson, Manistre, McCormick of St. Louis city and Phelan—5.

ABSENT—Messrs. Brady, Bryan, Carroll, Dale, Hall, Harrigan, Kendall, Kneisley, Lackland, Larimore, Louthan, Mott, Mudd of St. Louis, O'Malley, Pehle, Saunders, Smith of Cedar, Smith of St. Louis city, Tevis, Whitaker, Windes, Withers and Younger—23.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Pepper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 542 was taken up, and, on motion, laid over informally.

House bill No. 560, entitled An act to amend section 18 of an act entitled an act establishing probate courts, approved April 9, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dawson, Diercks, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hall, Ham, Haynes, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Warren, Wells and Weygandt—88.

NOES—Messrs. Drum, Hale, Ingram, Johnson, Waggener and Whitaker—6.

ABSENT—Messrs. Brady, Campbell of Atchison, Carroll, Dale, Davis, Gwynne, Hammons, Harrigan, Kendall, Larimore, Louthan, Miles, Mott, Mudd of St. Louis, Patterson of Schuyler, Pehle, Smith of Cedar, Turner, Windes, Withers and Younger—21.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel,

McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn, and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Booth moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 160, General Statutes of Missouri, concerning executions, and concurred in amendments Nos. 1, 2 and 3, and disagreed to amendments Nos. 4, 5, 6, 7 and 8, and ask the House to recede therefrom; which was read.

Senate bill No. 279, entitled An act to amend an act entitled an act to amend chapter 98 of the General Statutes of the State of Missouri, approved February 25, 1869, concerning the sale of wine by winegrowers; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 276, entitled An act to amend an act to establish three terms a year of the circuit court at La Plata, Macon county, Missouri, approved April 28, 1877; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 268, entitled An act to amend sections 10 and 13 of an act to amend an act entitled an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 of an act entitled an act to provide for the assessment of railroad property and the collection of taxes thereon, approved March 24, 1873, approved March 15, 1875; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 3 for Senate bill No. 101, entitled An act to revise and amend chapter 37 of the General Statutes of the State of Missouri, concerning county contracts and suits by and against counties; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 18 for Senate bill No. 52, entitled An act to revise and amend chapter 150 of the General Statutes of the State of Missouri, concerning actions on penal bonds; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

House bill No. 598, entitled An act to provide for the protection of coal miners; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hall, Ham, Hale, Hammons, Haynes, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powell, Price, Ragan, Rawlings, Reynolds, Settles, Souder, Smith of St. Louis city, Spring, Turner, Waggener, Wells, Weygandt and Whitaker—89.

NOES—Messrs. Hynes and Powers—2.

ABSENT—Messrs. Booth, Brady, Carroll, Creager, Dale, Gwynne, Harrigan, Kendall, Larimore, Louthan, Miles, Moler, Morrison, Mott, Mudd of St. Louis, Pehle, Pollard, Riley, Saunders, Smith of Cedar, Tevis, Warren, Windes, Withers and Younger—25.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Powell moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 602, entitled An act regulating the interest of money; was taken up.

Mr. Cox moved that the bill be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone did not prevail by the following vote:

AYES—Messrs. Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Chilton, Cox, Crow, Davis, Diercks, Drum, Ellis, Farr, Greer, Hayes, Hall, Hale, Haynes, Hubbard, Helm, Lackland, Mabrey, Manistre, Mudd of Lincoln, McCormick of St. Louis city,

McGarry, O'Malley, Phelan, Souder, Smith of St. Louis city, Waggener, Wells and Weygandt—34.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Brown, Burford, Burrows, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Dade, Dawson, Dilley, Dougherty, Ewing, Finks, Ham, Hammons, Hynes, Ingram, Johnson, Kneisley, Lockhart, Lynn, Mackey, Mahn, Maynard, Moler, Morrison, McCormick of Washington, McKill, McElvain, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Spring, Turner, Warren and Whitaker—59.

ABSENT—Messrs. Brady, Carroll, Creager, Crowther, Dale, Gwynne, Harrigan, Kendall, Larimore, Lesueur, Louthan, Miles, Mott, Mudd of St. Louis, Pehle, Pollard, Saunders, Smith of Cedar, Tevis, Windes, Withers and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

Mr. Cloud moved that the further consideration of the bill be postponed until Wednesday, April 23; which was agreed to.

House bill No. 622, entitled An act declaring advertising rebates illegal, and providing penalties for violation thereof; was taken up, read the third time, and passed by the following vote;

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Crow, Crowther, Dade, Davis, Dawson, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hall, Hale, Ham, Hammons, Haynes, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—95.

NOES—Mr. Hynes—1.

ABSENT—Messrs. Beckner, Brady, Carroll, Creager, Dale, Diercks, Gwynne, Harrigan, Kendall, Larimore, Louthan, Miles, Mott, Mudd of St. Louis, Pehle, Smith of Cedar, Windes, Withers and Younger—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. McCormick, of St. Louis city, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 626, entitled An act to amend an act entitled an act to abolish the offices of circuit and county attorneys, and to provide for the election of prosecuting attorney, by adding a new section thereto, to be designated section five; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hall, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Tevis, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—97.

NOES—Mr. Hale—1.

ABSENT—Messrs. Beckner, Brady, Carroll, Dale, Gwynne, Harrigan, Kendall, Larimore, Louthan, Miles, Mott, Mudd of St. Louis, Pehle, Smith of Cedar, Windes, Withers and Younger—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Cock, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Talbot, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 127 and 146, entitled An act to appropriate money for the payment to Winfield S. Thompson, John L. Herndon and Mrs. Kate C. Mitchell, for outstanding Union military bonds; was taken up, and, on motion, laid on the table.

On motion of Mr. Cloud, the House took a recess until 2½ o'clock,

P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Lesueur, Acting Speaker *pro tem*, in the chair.

Mr. Haynes offered the following resolution:

Resolved, That the Engrossing Clerk employ such force as he may deem necessary to expedite the work of engrossing bills; which was read.

Mr. Cowan of Holt offered the following substitute for the resolution:

Resolved, That the Engrossing Clerk be allowed to employ three additional assistants for six days; which was read and not agreed to.

The question recurring on the adoption of the resolution; it was adopted.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 689; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 594, entitled An act to authorize the State Auditor to allow the board bills of Daniel Peterson of Madison county, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 594; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 648, entitled an act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 648, was taken up, and, on motion, ordered engrossed and printed.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 521, entitled An act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by reducing the maximum number of days each person is liable to work on public roads from six days to four days, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 583, entitled An act to amend an act entitled an act to regulate charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding a new section thereto, to be known as section twenty-three, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 490, entitled An act to provide for the payment of the wages of labor in the lawful money of the United States, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7 east of the fifth principal meridian, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate bill No. 240, entitled An act to amend section 14 of chapter 53 of the General Statutes of Missouri, in relation to bridges, the same being section 14 of chapter 23 of Wagner's Missouri Statutes, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

Senate bill No. 240 was taken up, and the House refused to order the bill to a third reading.

Mr. Powers moved to reconsider the vote by which the House refused to order House bill No. 689 to engrossment and printing; which was agreed to.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 504, entitled An act relating to druggists, beg leave to report that they have considered the same, and submit the accompanying substitute, and recommend that it do pass; which was read.

House bill No. 504 was taken up, with the substitute recommended by the Committee on Benevolent and Scientific Institutions.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Substitute for House bills Nos. 157 and 457, entitled An act to amend section 8 of chapter 98 of the General Statutes of 1865, entitled dramshop keepers and their licenses; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Andrews, Berry, Bohannon, Bonham, Boulware, Bryan, Burrows, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Dade, Davis, Dilley, Dougherty, Ellis, Ewing, Greer, Ham, Hammons, Hubbard, Hynes, Helm, Ingram, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill,

McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Spring, Talbot, Turner, Warren, Wells and Withers—65.

NOES—Messrs. Alldridge, Booth, Bowman, Burford, Campbell of Atchison, Cock, Cooper, Cox, Crowther, Dale, Dawson, Diercks, Drum, Farr, Finks, Hayes, Hale, Haynes, Lackland, Manistre, Moler, Mott, McGarry, Pehle, Pepper, Phelan, Saunders, Settles, Smith of St. Louis city, Tevis, Weygandt, Whitaker and Windes—33.

ABSENT—Messrs. Beckner, Brady, Brewer, Brown, Carroll, Gwynne, Hall, Harrigan, Johnson, Kendall, Larimore, Louthan, Maynard, Miles, McCormick of St. Louis city, Powell, Smith of Cedar, Waggener and Younger—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

House bill No. 296, entitled An act to amend section 87 (86) of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, by providing for the payment of the costs of assessing property in the city of St. Louis by the city, State and schools; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Helm, Ingram, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Warren, Wells, Weygandt and Withers—97.

NOES—Messrs. Hynes and Mudd of St. Louis—2.

ABSENT—Messrs. Beckner, Brady, Carroll, Cowan of Christian, Gwynne, Hall, Harrigan, Johnson, Kendall, Larimore, Louthan, McCormick of St. Louis city, Powell, Smith of Cedar, Waggener, Whitaker and Windes—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Warren, Wells, Weygandt, Whitaker and Withers—99.

NOES—Mr. Mudd of St. Louis—1.

ABSENT—Messrs. Brady, Burford, Carroll, Gwynne, Hall, Harrigan, Johnson, Kendall, Larimore, Louthan, Manistre, McCormick of St. Louis city, Powell, Smith of Cedar, Waggener and Windes—16.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Younger for three days.

House bill No. 390, entitled An act to amend section 11 of an act entitled an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Brown, Bryan, Burrows, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Haynes, Hubbard, Helm, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Windes and Withers—87.

NOES—Messrs. Bowman, Cooper, Crow, Moler, McKill, Organ, Pehle and Tevis—8.

ABSENT—Messrs. Beckner, Brady, Brewer, Burford, Campbell of Atchison, Carroll, Gwynne, Hall, Hammons, Harrigan, Hynes, Ingram, Johnson, Kendall, Larimore, Louthan, Morrison, McCormick of St. Louis city, Powell, Smith of Cedar, Waggener and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby and Mr. Speaker—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Windes and Withers—90.

NOES—Messrs. Cooper, Crow, Moler, McKill, Pehle, Rawlings, Saunders and Tevis—8.

ABSENT—Messrs. Bowman, Brady, Burford, Carroll, Crowther, Gwynne, Hall, Harrigan, Johnson, Kendall, Larimore, Louthan, McCormick of St. Louis city, Organ, Powell, Settles, Smith of Cedar and Waggener—18.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Greer, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Turner moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments, in which the concurrence of the House is respectfully requested.

Also that the Senate has taken up and failed to pass House bill No. 423, An act to provide for inspectors of elections in certain cases; which was read.

House bill No. 493, entitled An act to provide for filling the office of recorder of deeds in all counties wherein such office has been separated from the office of county clerk; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring-

Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Windes and and Withers—96.

ABSENT—Messrs. Brady, Brown, Burford, Carroll, Cock, Cowan of Christian, Dade, Gwynne, Hall, Harrigan, Johnson, Kendall, Lackland, Larimore, Louthan, McCormick of St. Louis city, Powell, Smith of Cedar, Tevis and Waggener—20.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Hynes, Helm, Ingram, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Windes and Withers—96.

NOES—Messrs. Bowman, Lackland and Organ—3.

ABSENT—Messrs. Beckner, Brady, Carroll, Coleman, Dade, Gwynne, Hall, Harrigan, Johnson, Kendall, Larimore, Louthan, McCormick of St. Louis city, Powell, Smith of Cedar, Tevis and Waggener—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Helm, Ingram, Kniesley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Wells, Weygandt, Whitaker, Windes and Withers—91.

NOES—Messrs. Burford, Davis, Hynes, Mudd of St. Louis, Pehle, Souder, Turner and Warren—8.

ABSENT—Messrs. Brady, Carroll, Crowther, Dade, Gwynne, Hall, Harrigan, Johnson, Larimore, Louthan, Kendall, Morrison, McCormick of St. Louis city, Powell, Smith of Cedar, Tevis and Waggener—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The emergency clause was not adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Ham, Hammons, Haynes, Hubbard, Helm, Kneisley, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Talbot, Wells, Weygandt, Whitaker, Windes and Withers—87.

NOES—Messrs. Burford, Davis, Hynes, Lackland, Mudd of St. Louis, McElvain, Pehle, Pollard, Souder and Turner—10.

ABSENT—Messrs. Brady, Carroll, Dade, Gwynne, Hall, Harri-
gan, Ingram, Johnson, Kendall, Larimore, Louthan, Mabrey, Mc-
Cormick of St. Louis city, Powell, Settles, Smith of Cedar, Tevis,
Waggener and Warren—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berry-
man, Craig, Dryden, Foster, Gray, Harrington, Harrison, McDaniel,
McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger
and Mr. Speaker—20.

SICK—Messrs. Ballew, Campbell of Atchison, Dodson, Freed,
Knight, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed,
and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 552, entitled An act relating to street railroads;
was taken up.

Mr. Davis moved that the further consideration of the bill be
postponed and made the special order for 10 o'clock, Wednesday,
April 23d; which was agreed to.

House bill No. 623, entitled An act providing for the removal of
justices of the peace and ministerial officers for extortion or oppres-
sion in office; was taken up, and, on motion, indefinitely postponed.

House bill No. 581, entitled An act amending section 33 of an
act dividing the State into judicial circuits, prescribing the times of
holding courts therein, and repealing all acts and parts of acts incon-
sistent therewith, approved April 28th, 1877; was called up, read the
third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry,
Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown,
Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chil-
ton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan
of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale,
Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks,
Greer, Hayes, Ham, Hammons, Haynes, Hubbard, Hynes, Helm,
Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn,
Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln,
Mudd of St. Louis, McCormick of Washington, McElvain, McGarry,
McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler,
Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings,
Riley, Settles, Souder, Spring, Talbot, Tevis, Warren, Wells, Wey-
gandt, Whitaker, Windes and Withers—94.

NOES—Messrs. Burford and Hale—2.

ABSENT—Messrs. Brady, Carroll, Dade, Davis, Gwynne, Hall, Harrigan, Ingram, Johnson, Kendall, Larimore, Louthan, McCormick of St. Louis city, Powell, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Turner and Waggener—20.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Foster, Harrington, Harrison, McDaniel, McIntyre, Pollock, Swank, Taylor, Vancleve, Wiley, Wisby, Younger and Mr. Speaker—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Gray, Knight, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Cock the House adjourned until to morrow morning at 9 o'clock.

EIGHTY-SIXTH DAY—TUESDAY, April 22, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair..

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Burrows, the further reading was dispensed with.

Senate substitute No. 9 for Senate bill No 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachment; was called up, and read the first time.

Senate bill No. 353, entitled An act supplemental to, and amendatory of an act entitled an act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections to be known as, and numbered sections 27, 29, 30, 31, 32, 33 34, 35 and 36, approved March 24, 1879, by adding a new section

thereto, numbered, and to be known as section 16; was called up, and read the first time.

Senate substitute for Senate bills Nos. 57 and 108, entitled An act to revise and amend title 30 of the General Statutes of State of Missouri, concerning voluntary assignment; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Warren, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform to whom was referred House bill No. 684, entitled an act fixing the rate of interest at not more than six per cent. upon loans secured by real estate, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 684; was taken up, and, on motion, ordered engrossed and printed.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House Joint and concurrent resolution No. 91, entitled Joint and concurrent resolution in relation to war claims, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House Joint and concurrent resolution No. 9; was taken up, and, on motion of Mr. Wells, was recommitted to the Committee on Federal Relations.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thos. B. English, deceased, late judge of the tenth judicial circuit, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 683; was taken up, and, on motion, the bill was ordered engrossed and printed.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 253, entitled An act amending section 54 of an act entitled an act dividing the State into judicial circuits, prescribing the time of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 253, was taken up, read at length by the clerk, and signed by the Speaker *pro tem.* without objections, and presented by the Chief Clerk to the Governor.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 429, entitled An act to license dealers in tobacco and cigars, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 429, was taken up, and, on motion, ordered engrossed and printed.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 660, was taken up, and, on motion, ordered engrossed and printed,

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill 308, entitled An act to provide for the levy of a poll tax, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 308, was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 593, entitled An act to reorganize and diminish the number of judicial circuits and prescribing the times of holding courts therein, and repealing an act entitled an act dividing the State into judicial circuits and prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same, and report it back without recommendation, with the amendments herewith presented; which was read.

House bill No. 593, was taken up with the following amendments, recommended by the Committee on Judiciary:

Amendment No. 1—Strike out section 48, and insert in lieu thereof, as follows: Section 48. In the 23d judicial circuit, composed of the county of Jackson, at Independence, on the fourth Mondays in February and August, and at Kansas City, on the second Mondays in April and October, in each year; which was read and agreed to.

Amendment No. 2—Amend section 28, by striking out the words "in April," in the sixth line of said section, and inserting in lieu thereof, the words "after the fourth Monday in March." Also, by striking out the word "second," in the ninth line of said section, and inserting, in lieu thereof, the word "fourth;" which was read and agreed to.

Amendment No. 3—Amend by adding another section, to be known as section 49, to read as follows: Section 49. This act shall take effect and be in force from and after the first day of January, 1881; which was read and agreed to.

On motion, the bill, as amended, was ordered printed for information.

The following message was received from the Governor through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
April 22, 1879. }

Senators and Representatives:

On the first day of June next, \$250,000 revenue bonds of this State will become due, which were issued in pursuance of a law enacted by the last Legislature. Shortly after my inauguration, I discovered large liabilities had been incurred during the two preceding years, in excess of the appropriations made for that purpose. These liabilities had not been improperly incurred, and no doubt would have been paid, if the money appropriated for such objects, had not been already exhausted. To provide for the payment of these liabilities, an act to appropriate money for the deficiencies in the appropriations for the years 1875 and 1876, was passed, and the sum of \$269,567.96 was appropriated for that purpose. In consequence of these and other existing liabilities, the loan for \$250,000 was authorized. A larger sum would then have been asked for, but for the constitutional prohibition. These bonds are payable out of the revenue fund, and there is not, and will not be, money in the treasury wherewith to pay them. I therefore recommend that provision be immediately made for the issue of \$250,000 coupon bonds, due and payable within two years from their date, with interest at the rate of six per cent. per annum, payable semi-annually, and that the said bonds or their proceeds be

exchanged for the outstanding revenue bonds, and that \$250,000 be appropriated for that purpose.

By an act of the Legislature, approved on the 15th of March last, provision was made that the Treasurer should, within thirty days from that date, give a new bond, with sufficient sureties, or vacate his office. That act provided the bond should be for \$500,000, whilst the law which was in force when he first entered on the discharge of his duties as Treasurer, required a bond for \$1,000,000. The number of sureties—not less than ten—is prescribed by the former and present law. On Saturday evening, the 12th inst., the Treasurer presented to me his bond for approval. There were twelve sureties on his bond, and each has justified, in the manner required by law, “that he was worth the amount set opposite his name, after the payment of all debts for which he is in anywise bound or liable.” With some of the sureties I had no personal acquaintance, nor had I any personal knowledge of the property they owned, its nature, where situated, or their liabilities. Nor does the law provide any means whereby the Governor can investigate such matters. If the bond had not been approved on or before the 14th inst., the office of Treasurer, by the terms of the law, would have become vacant. One or two of the sureties justified in this city. The sureties swore they were worth sums which aggregated \$615,000, or \$115,000 in excess of the amount required by the law. Upon the evidence presented to me—which was their own affidavits—I pronounced the sureties good and sufficient. I approved of the bond on Monday, the 14th inst., and it is on file in the office of the Secretary of State.

The names of the sureties, and the sums they severally swore they were worth, are as follows:

Calvin F. Burnes	\$300,000
Alex. Young.....	20,000
John J. Daly.....	20,000
Quintus Price.....	10,000
William Carter.....	75,000
L. N. Crawford.....	35,000
Hugh L. Fox.....	50,000
Thos. Thoroughman.....	20,000
Jno. R. Farrar.....	25,000
Fielding Burnes.....	40,000
C. H. Lamar.....	5,000
Tennessee Mathews.....	15,000

It is necessary to reduce the expenditures of the State, or to increase its revenue, or to do both. The revenue is not adequate to

defray the expenses of the State government, liquidate its indebtedness, payable from the revenue fund, and to provide for such casualties as may occur. The rebuilding of the Lunatic Asylum is required by justice and humanity. The outstanding revenue bonds should not be renewed after this year. If the Legislature should levy a poll tax, it can be collected this year, and enable a portion of these bonds to be paid before the expiration of two years, and enable work to be commenced on the asylum this year, and, if not completed this year, to be completed at an early period next year. There will be greater delinquencies in the collection of the poll-tax than in the collection of a tax on property, and this delinquency should be considered. If the Legislature will impose a poll-tax of \$1.00 on every male person of the age of 21 and upwards, the revenue bonds can be liquidated within the ensuing two years, and the treasury be relieved of its other embarrassments.

The Treasurer, in his biennial report, stated there was a balance in the treasury, on the 1st of January last, of \$472,465.92, which belonged to the following funds :

State Revenue fund.....	\$177,418 06
State Interest fund.....	156,039 79
State School fund.....	457 11
State School moneys.....	120,828 48
State Siminary fund.....	95 98
State Library fund.....	1,355 30
Redemption of Land fund.....	9 58
Insurance Department fund.....	2,964 29
Road and Canal fund.....	412 49
Executors' and Administrators' fund.....	12,885 74
	<hr/>
	\$472,465 92

And deposited and held as follows :

Bank of Commerce, St. Louis, Mo.....	\$122,303 37
National Bank State, St. Louis.....	3,045 25
The Mastin Bank, Kansas City.....	286,187 80
Deposited with Reid and Chrisman.....	5,000 00
Clinton County Bonds, (in vault).....	49,000 00
Wolf Scalp Certificates, (in vault).....	4,432 00
Currency, (in vault).....	2,497.50
	<hr/>
	\$472,465 92

The only sums available at that date were the deposit in the Bank of Commerce, \$122,303.37, and the currency in vault, \$2,497.50, making \$124,800.87. The other items in the last statement are not available.

The money deposited in the Mastin Bank is money deposited by the Treasurer to his own credit, and a portion of it deposited when the bank was said to be in failing circumstances. The transactions of the Treasurer with that bank have been so managed and conducted that the whole claim of Col. Gates against that bank is in dispute, and has recently been disallowed by the assignee of said bank. It is just to state that an appeal has been taken by Col. Gates from this decision. If that bank was used merely as a place of deposit of money by Col. Gates, it is singular that his account against the bank should be disputed. With respect to another item of \$49,000 Clinton county bonds, I am not yet advised that the State is the owner of them. I am informed these bonds came from the Bank of St. Joseph, a bank at all times solvent, and why county bonds should be received in his transactions with that bank, with the expectation the State will take them as cash, I cannot imagine.

But the following sums were not, nor are they now, available:

National Bank, State, St. Louis.....	\$3,045 25
Mastin Bank, Kansas City.....	286,187 80
Deposited with Reid and Chrisman.....	5,000 00
Clinton County Bonds.....	49,000 00
	<hr/>
	\$343,233 05

This amount of \$343,233.05, in my opinion, will not be available during the next twelve months, and probably not then. It matters but little to what fund it belongs. The money belongs to the people—was collected from them—and its place must be supplied by other money collected from them. If this sum belongs to the interest fund, then it could now be applied to the payment of \$340,000 of the bonds of the State, and stop interest on that sum, amounting to more than \$20,000 annually. If any portion of that sum belongs to the revenue fund, then that fund is embarrassed to that extent. And if the same shall not be paid by the Treasurer and his sureties, and if it cannot be collected by law, then have the people lost that sum of money.

Since the Treasurer has given a new bond, a settlement should be made between the Treasurer and the State. Difficulties may arise which can now be avoided. The sureties on the bond first given by the Treasurer are liable for any delinquency, neglect or misconduct of the Treasurer, which occurred prior to the approval of the new bond, and if the money for which the Treasurer is accountable shall not be adjusted and paid to the State, I advise authority be given that a suit be commenced, on that bond, against the Treasurer and all his sureties. But whether this shall be done or not, it is proper the sureties on the new bond shall know for what sums of money they are

responsible, and therefore justice requires that this settlement shall be speedily made. The matter rests with you to have this settlement made, as does also the authority to commence suit against the Treasurer on his bond. I have no authority in the premises, nor has any other executive officer such authority.

The State has received from time to time, and probably will receive, money on account of the sale, by the Government of the United States, of lands which had been duly and properly selected as swamp lands. Such lands were granted by the United States to this State, and the State donated the lands to the counties in which they were situated. The law requires the Register of Lands to pay the money he may receive into the State treasury, to the credit of the county to which said money belongs. And the law provides the Treasurer shall pay said money to the county entitled thereto. This law was enacted many years ago, and has been abrogated by the 19th section of the 10th article of the Constitution, which provides :

"No moneys shall ever be paid out of the treasury of this State, or any of the funds under its management, except in pursuance of an appropriation ; nor unless such payment be made or a warrant shall have issued therefor within two years after the passage of such appropriation act."

I recommend the sum of \$20,000, or so much thereof as may be necessary, be appropriated for the purpose of paying to the counties entitled thereto such sums of money as may be paid into the State treasury by the Government of the United States as indemnity for swamp land sold by the United States. I also advise this appropriation be made available immediately, as there is some money which can be paid now to some counties.

I hope the Legislature will not adjourn without reducing costs in criminal cases. I can but reiterate the opinions I expressed in my message at the commencement of this session of the Legislature, except to advise that where persons shall be confined in jail before or after trial, the expenses of the support of the prisoner in jail shall be borne by the county wherein the prosecution was commenced. Such a course, will throw upon counties a burden now borne by the State, but will have a tendency to reduce those expenditures.

JOHN S. PHELPS.

Which was read.

Mr. Dale moved that the message be referred to the Committee on Ways and Means, and that 1,500 copies be ordered printed ; which was agreed to.

Senate substitute No. 8, for Senate bill No. 52, entitled An act to revise and amend chapter 140 of the General Statutes of the State

of Missouri, concerning writs and process; was taken up, read at length by the Clerk, and signed by the Speaker, *pro tem.*, without objections.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 290, entitled An act to amend section 32 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding the courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have considered the same and recommend that it do pass, with the accompanying amendment; which was read.

Senate bill No. 290 was taken up, with the following amendment recommended by the Committee on Judiciary:

Amendment No. 1—Amend section one of said bill by striking out the word "April," in the 11th line of said section (engrossed written bill), and inserting in lieu thereof the words "February and the first Monday in June;" which was read and agreed to.

The bill, as amended was then read the third time and passed, by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cooper, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Withers—99.

ABSENT—Messrs. Boulware, Burford, Carroll, Cloud, Collins, Cowan of Christian, Cowan of Holt, Cox, Davis, Dawson, Gwynne, Hall, Harrigan, Hynes, Kendall, Louthan, Manistre, McCormick of St. Louis city, Phelan, Powers, Ragan and Turner—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Harrington, McDaniel, McIntyre, Pollock, Swank, Vancleve, Wisby, Younger and Mr. Speaker—15.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Withers—104.

ABSENT—Messrs. Boulware, Brady, Burford, Cloud, Cowan of Holt, Dilley, Gwynne, Hall, Harrigan, Kendall, Louthan, Moler, Mott, Phelan, Powers, Ragan and Smith of St. Louis city—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Harrington, McDaniel, McIntyre, Pollock, Swank, Vancleve, Wisby, Younger and Mr. Speaker—15.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 650, entitled An act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits and malt liquors, within the limits of this State, by the drink, in addition to the license and ad valorem tax now or which may hereafter be required by law for State purposes, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 650 was taken up, with substitute recommended by the Committee on Ways and Means.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

House bill No. 323 was taken up, and, on motion, the Senate amendment thereto was ordered printed.

The special order, being the consideration of House bill No. 553, entitled An act to classify the railroads of this State, as well as the commodities they transport; to regulate and prescribe the tariff of charges thereon; to establish maximum passenger fare, and to repeal an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, and to repeal all other conflicting acts or parts of acts; was taken up, and, on motion, laid over informally.

Substitute for House bill No. 396 was taken up, and, on motion, the Senate amendment thereto was ordered printed.

Substitute for House bill No. 297 was taken up, and, on motion, the Senate amendment thereto was ordered printed.

House bill No. 533 was taken up, and, on motion, the Senate amendments thereto were ordered printed.

Senate substitute for Senate bills Nos. 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State, and other persons, from negotiating, assigning, transferring or hypothecating the bonds of the State, school and seminary funds; was taken up, with the following House amendment, in which the Senate refused to concur:

House amendment to substitute for Senate bills Nos. 5, 45, 148 and 156—Amend section one, line 8 of printed bill, by striking out the word "face," and insert in lieu thereof the word "back;" which was read, and the House receded therefrom.

Senate substitute No. 7, for Senate bill No. 52, entitled An act to revise and amend chapter 139 of the General Statutes of the State of Missouri, concerning attorneys-at-law; was taken up, with the following House amendments, in which the Senate refused to concur:

Amendment No. 1—Amend section 6 so as to read as follows—Section 6. If any person shall practice law in any court of record without being licensed, sworn and enrolled, he shall be deemed guilty of a criminal contempt of court, and punished as in other cases of criminal contempt; was read, and the House refused to recede therefrom.

Amendment No. 2—Amend section 16 by striking out all of said section, after the word "by" in the third line of the printed bill, and insert in lieu thereof the words, "the court;" was read, and the House refused to recede therefrom.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases; was taken up, with Senate amendment to House amendment No. 1, and also House amendments No. 2 and 3, in which the Senate refused to concur.

Senate amendment to House amendment No. 1—Amend amendment No. 1, by striking out the words "interested or" in third line, and also by striking out all of fourth line, preceding the word "second" in said line, and by inserting after the word "prejudiced," in third line, the following words: "against the party, so that he cannot have a fair and impartial trial before him;" was read, and the House refused to concur therein.

House amendment No. 2—Insert after section No. 1, as amended, a new section, to be numbered two, and to read as follows:

SECTION 2. If the judge is interested or related to either party, or shall have been of counsel in the cause, the court or judge shall award such change of venue, without any application from either party, unless all the parties in the cause consent that such judge may sit on the trial thereof, or a special judge for the trial thereof be agreed upon by the parties, or elected in the manner provided by law; was read, and the House refused to recede therefrom.

House amendment No. 3—Amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 respectively, by changing the numbers thereof respectively from 2, 3, etc., to 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15; was read, and the House refused to recede therefrom.

Mr. McIntyre moved that a committee of conference, consisting of three members, be appointed by the Speaker, to confer with a like number, to be appointed by the President of the Senate, for the purpose of considering Senate amendment to House amendment No. 1, and House amendments Nos. 2 and 3, to Senate substitute No. 26 for Senate bill No. 52; which was agreed to.

The Speaker *pro tem.* appointed as said committee, on the part of the House, Messrs. McIntyre, Lackland and Booth.

Senate substitute No. 28, for Senate bill No. 52, entitled An act to revise and amend chapter 160 of the General Statutes of the State of Missouri, concerning executions; was taken up, with the following House amendments thereto, in which the Senate refused to concur;

Amendment No. 8—Amend section 76, by adding: "*Provided*, the rate of taxation so ordered to be levied and assessed, shall in no case exceed the rate prescribed by its charter; was read.

The question being upon receding from the amendment,

The ayes and noes were demanded, and the House refused to recede therefrom by the following vote;

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Chilton, Cock, Collins, Cook, Cowan of Christian, Crow, Crowther, Dade, Dale, Davis, Dougherty, Ellis, Ewing, Farr, Finks, Gray, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Larimore, Lesueur, Lynn, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Organ, Patterson of Schuyler, Pollard, Powell, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Souder, Spring, Talbot, Turner, Wells, Whitaker, Wiley, Windes and Withers—65.

NOES—Messrs. Bonham, Booth, Bowman, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cooper, Cowan of Holt, Cox, Creager, Dawson, Drum, Foster, Greer, Hayes, Hale, Haynes, Lackland, Lockhart, Mabrey, Mackey, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, O'Malley, Palmer, Pehle, Pepper, Phelan, Powers, Smith of Cedar, Smith of St. Louis city, Taylor, Tevis, Waggener and Weygandt—41.

ABSENT—Messrs. Bohannon, Brady, Cloud, Coleman, Diercks, Dille, Gwynne, Hall, Harrigan, Johnson, Kendall, Maynard, Settles and Warren—14.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bashaw, Berryman, Craig, Dryden, Harrington, Louthan, McDaniel, McIntyre, Pollock, Swank, Vancleve, Wisby, Younger and Mr. Speaker—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

Amendment No. 4—Amend section 9 by striking out the words, "two work animals," in the 6th and 7th lines of said section, (printed bill,) and inserting in lieu thereof the following: "Working animals of the value of one hundred and fifty dollars;" was read, and the House refused to recede therefrom.

Amendment No. 5—Amend section 41 by striking out the words in brackets as follows: "Which may be designated by the plaintiff or his attorney of record," in the 7th and 8th lines of said section, (printed bill); was read, and the House refused to recede therefrom.

Amendment No. 6—Strike out all of section 27, and insert in lieu thereof, the following:

SECTION 27. When personal property, or any shares in any bank, company or corporation, or other effects shall be seized by virtue of an execution, and any person other than the debtor in the execution, shall in writing, verified by affidavit of himself or some other credible person, claim such property or any part thereof, and shall in such written claim, verified as aforesaid, set forth the right, title and interest of said claimant in and to said property, or any part thereof, and

shall give notice thereof to the officer levying the execution, and deliver to such officer the writing so verified, claiming such property, such officer shall, as soon thereafter as practicable, notify the execution creditor of such claim and notice; and if the execution creditor shall fail, in a reasonable time, to furnish and tender to such officer a bond payable to him, with good security, resident of the county, and conditioned to indemnify such officer against all damages and costs which he may sustain in consequence of the seizure and sale of the property so levied on and claimed, and to pay and satisfy to the person or persons claiming the same, all damages which such person or persons may sustain in consequence of said seizure and sale, the officer making such levy may abandon it, and release such property to the claimant or claimants; was read and the House refused to recede therefrom.

Amendment No. 7—Strike out all of section 28, and insert in lieu thereof the following:

SECTION 28. If such bond and security be given, it shall be returned by the officer, together with the execution, and filed in the office from whence the execution issued, and the claimant may, in the name of the officer to whom the bond is payable, prosecute his or her suit upon the bond, and recover such damages as a jury may assess; was read, and the House refused to recede therefrom.

Mr. Davis moved that a Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 4, 5, 6, 7 and 8 to Senate substitute No. 28 for Senate bill No. 52; which was agreed to.

The Speaker *pro tem.*, appointed as said Committee on the part of the House, Messrs. Lackland, Dade and Booth.

Leave of absence was granted Mr. Louthan for one day.

Mr. Davis moved that a Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 1 and 2 to Senate substitute No. 7 for Senate bill No. 52; which was agreed to.

The Speaker *pro tem.*, appointed as said Committee on the part of the House, Messrs. Gwynne, Bryan and Hayes.

Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotel and boarding-house keepers' liens, contractors' material, men and laborers' liens, railroads and equitable

liens and notices; was taken up. with the following House amendments, adopted March 12th, 1879.

Amendment No. 3—That section 51 be amended by striking out the words, "stud-horse liens," wherever they occur therein; was read, and the House refused to recede therefrom.

Amendment No. 4—That the title to said bill be amended by striking out the words, "stud horse liens," wherever they occur therein; was read, and the House refused to recede therefrom.

Mr. Davis moved that a Committee of Conference, consisting of four members, be appointed by the Speaker to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 3 and 4 to Senate bill No. 59; which was agreed to.

The Speaker *pro tem.*, appointed as said Committee on part of the House, Messrs. McIntyre, McDaniel, Dryden and Anderson.

Mr. Taylor offered the following resolution:

Resolved, That the Senate be requested to return to the House, House bill No. 491; which was read and adopted.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 673, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2, at St. Joseph, and to appoint commissioners to superintend the erection of the same, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Cowan of Holt moved to reconsider the vote by which the House refused to order House bill No. 308 to engrossment and printing; which was agreed to.

On motion, the bill was recommitted to the Committee on Ways and Means.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 380, entitled An act to protect owners of live stock, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 646, entitled An act separating the offices of

sheriff and jailer, and providing for the election of a jailer in each county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 639, entitled An act granting a pension to Frederick Miller on account of injuries received, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith, beg leave to report that they have examined the same and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first class to administer free of charge all oaths in connection with their official duties, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bills Nos. 251, 280 and 227, entitled An act in relation to insurance other than life, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

On motion of Mr. Price, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order. Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

Mr. Lockhart offered the following resolution :

WHEREAS, It is evident that members of this House, from time to time, without leave of absence, are away from their seats ; and

WHEREAS, This session is approaching its close, and important measures are before the House for their action ; and

WHEREAS, The attendance in the House is so small, that the friends of important bills do not wish to risk their passage ;

Resolved, That any member who shall be absent from his seat for a period of a half a day, without leave of absence has been obtained, shall forfeit his pay for every half day or day that he is absent from his seat.

Resolved further, That no leaves of absence shall be granted, unless good and sufficient reasons are given for such absence.

Resolved, That the Clerk be required to furnish the Clerk of the Committee of Accounts with the list of those absent without leave, and the time of their absence, so that he may be able to make a correct reduction from their pay-roll ; which was read.

Mr. Haynes offered the following substitute for the resolution :

Resolved, That the roll of the House be called every morning at 10 o'clock, and that the Official Reporter be furnished with the names of those absent without leave, and that he publish the same in his official report ; which was read and adopted.

Leave of absence was granted to Messrs. Dade, Wells and Booth for the afternoon.

House bill 490, entitled An act to provide for the payment of the wages of labor in the lawful money of the United States ; was taken up, read the third time, and failed to pass by the following vote :

AYES—Messrs. Adams, Andrews, Berry, Bohannon, Bonham, Boulware, Brewer, Bryan, Burrows, Carleton, Chitwood, Cloud, Cooper, Cox, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Finks, Gwynne, Hubbard, Ingram, Johnson, Kneisley, Lesueur, Lynn, Mackey, Manistre, Miles, Moler, Mott, McCormick of Washington, McGarry, McKill, Pehle, Phelan, Powell, Price, Ragan, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Turner, Warren, Whitaker, Windes, Wisby and Withers—51.

NOES—Messrs. Alldridge, Bashaw, Beckner, Booth, Bowmar, Campbell of Atchison, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Dale

Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hynes, Helm, Lackland, Lockhart, Mabrey, Mahn, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powers, Rawlings, Settles, Souder, Spring, Taylor, Tevis, Weygandt and Wiley—57.

ABSENT—Messrs. Brady, Brown, Burford, Carroll, Foster, Gray, Hall, Harrigan, Kendall, Larimore, O'Malley, Reynolds, Talbot and Waggener—14.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Harrington, Louthan, McDaniel, McIntyre, Pollock, Swank, Vancleve, Wells, Younger and Mr. Speaker—14.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

AYES—Messrs. Adams, Bashaw, Bohannon, Booth, Campbell of Atchison, Chenoweth, Chilton, Cock, Coleman, Cowan of Christian, Cowan of Holt, Cox, Creager, Dale, Drum, Ellis, Ewing, Farr, Hayes, Hale, Haynes, Hynes, Helm, Ingram, Lackland, Mudd of Lincoln, McElvain, McKill, Patterson of Schuyler, Pollard, Powell, Saunders, Spring, Tevis, Weygandt and Wiley—36.

NOES—Messrs. Alldridge, Andrews, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chitwood, Cloud, Cook, Cooper, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dougherty, Finks, Foster, Greer, Ham, Harrison, Hubbard, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McGarry, McKinney, Pehle, Pepper, Phelan, Powers, Ragan, Rawlings, Riley, Souder, Smith of Cedar, Smith of St. Louis city, Turner, Warren, Whitaker, Windes, Wisby and Withers—36.

ABSENT—Messrs. Beckner, Berry, Brown, Burford, Collins, Gray, Gwynne, Hall, Hammons, Harrigan, Kendall, Miles, McCormick of St. Louis city, O'Malley, Organ, Palmer, Price, Reynolds, Settles, Talbot, Taylor and Waggener—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Dade, Dryden, Harrington, Louthan, McDaniel, McIntyre, Pollock Swank, Vancleve, Wells, Younger and Mr. Speaker—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Knight, Freed, Patterson of Linn and Tiernan—7.

The question recurring upon the passage of the bill,

The roll was called and the bill again failed to pass by the following vote:

AYES—Messrs. Adams, Andrews, Berry, Bohannon, Bonham, Brady, Brewer, Bryan, Burrows, Carleton, Carroll, Chitwood, Cloud, Collins, Cook, Cooper, Cox, Crowther, Davis, Dawson, Diercks, Dilley, Foster, Hall, Hale, Harrison, Hubbard, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Miles, Moler, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McKinney, Organ, Pehle, Pepper, Phelan, Powell, Powers, Price, Ragan, Riley, Smith of Cedar, Talbot, Turner, Warren, Whitaker and Withers—60.

NOES—Messrs. Alldridge, Bashaw, Beckner, Booth, Boulware, Bowman, Burford, Campbell of Atchison, Chenoweth, Chilton, Cock, Coleman, Cowan of Christian, Cowan of Holt, Creager, Crow, Dale, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Ham, Hammons, Haynes, Hynes, Helm, Lackland, Mabrey, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McElvain, McKill, Palmer, Patterson of Schuyler, Pollard, Rawlings, Saunders, Settles, Souder, Taylor, Tevis, Weygandt, Wiley and Wisby—51.

ABSENT—Messrs. Brown, Finks, Gray, Harrigan, Kendall, O'Malley, Reynolds, Spring, Waggener and Windes—10.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Dade, Harrington, Louthan, McDaniel, McIntyre, Pollock, Swank, Vancleve, Wells, Younger and Mr. Speaker—15.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

Leave of absence was granted Mr. Bonham for eight days.

House bill No. 521, entitled an act to amend section 20 of an act in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, and repealing all acts and parts of acts inconsistent therewith, approved April 27, 1877, by reducing the maximum number of days each person is liable to work on public roads from six to four days; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Coleman, Collins, Cowan of Christian, Cox, Crow, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Rawlings,

Riley, Saunders, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Weygandt, Whitaker, Windes and Wisby—89.

NOES—Messrs. Booth, Boulware, Carroll, Chenoweth, Cock, Cook, Cooper, Cowan of Holt, Creager, Ewing, Finks, Lackland, Moler, Mudd of Lincoln, McIntyre, McKill, Organ, Palmer, Pehle, Pollard, Ragan, Warren, Wells, Wiley and Withers—25.

ABSENT—Messrs. Crowther, Haynes, Harrigan, Kendall, Miles, Mott, O'Malley, Reynolds, Settles and Waggener—10.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Harrington, Louthan, McDaniel, Pollock, Swank, Vancleve, Younger and Mr. Speaker—12.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Taylor moved to reconsider the vote by which the bill passed.

Mr. Davis moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 608, entitled An act in relation to the title to certain school lands in township 45, north range 7, east of the fifth principal meridian; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hall, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, Palmer, Pehle, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes and Wisby—102.

NOES—Messrs. McElvain, Pepper, Souder, Smith of Cedar and Withers—5.

ABSENT—Messrs. Bashaw, Carroll, Davis, Hayes, Harrigan, Hynes, Kendall, Miles, O'Malley, Organ, Patterson of Schuyler, Pollard, Reynolds, Settles and Spring—15.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Dade, Harrington, Louthan, McDaniel, Pollock, Swank, Vancleve, Wells, Younger and Mr. Speaker—14.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House concurrent resolution No. 49, entitled Joint and concurrent resolution authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the government of the United States; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Weygandt, Wiley and Windes—87.

NOES—Messrs. Burford, Burrows, Cloud, Cooper, Cowan of Christian, Dade, Dale, Davis, Diercks, Gray, Haynes, Ingram, Johnson, Manistre, Morrison, Mott, Organ, Palmer, Pehle, Pepper, Powell, Souder, Warren, Whitaker and Withers—25.

ABSENT—Messrs. Bashaw, Harrigan, Hynes, Kendall, Lackland, Maynard, Mudd of St. Louis, O'Malley, Pollard, Smith of Cedar and Wisby—11.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Craig, Harrington, Louthan, McDaniel, Pollock, Swank, Vancleve, Wells, Younger and Mr. Speaker—13.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Collins moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dryden, from the Committee of Conference on House amendments and emergency clause to Senate bill No. 151, submitted the following report:

MR. SPEAKER: Your Committee on Conference, to settle the differences between the Senate and House on Senate bill No. 151, with House amendments, beg leave to report that they have considered the same, and have agreed to report the same back with recommendation that House amendments Nos. 7, 8 and 9 be adopted, and that Senate amendment to House amendment No. 1, and also the emergency clause, be adopted; which was read.

The question being upon the adoption of the report; the roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrison, Hubbard, Helm, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Souder, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Wisby—103.

NOES—Messrs. Bowman, Burford, Cooper, Hynes, Ingram Rawlings and Withers—7.

ABSENT—Messrs. Alldridge, Bashaw, Carroll, Cowan of Christian, Dade, Dale, Dawson, Haynes, Harrigan, Kendall, Mudd of St. Louis, O'Malley, Powell, Smith of Cedar and Spring—15.

ABSENT WITH LEAVE—Messrs. Arnold, Berryman, Craig, Harrington, Louthan, McDaniel, Pollock, Swank, Vancleve, Younger and Mr. Speaker—11.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn and Tiernan—7.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act approved April 12, 1877, entitled An act to provide for the collection of delinquent taxes, and taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up.

The question being upon the adoption of the emergency clause, The roll was called, and the emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Harrison, Hubbard, Helm, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Wisby—106.

NOES—Messrs. Bowman, Burford, Cooper, Hynes, Powell and Withers—6.

ABSENT—Messrs. Alldridge, Beckner, Carroll, Chitwood, Coleman, Dade, Hale, Haynes, Harrigan, Ingram, Kendall, Manistre and O'Malley—13.

ABSENT WITH LEAVE—Messrs. Arnold, Berryman, Craig, Harrington, Louthan, McDaniel, Pollock, Swank, Vancleve, Younger and Mr. Speaker—11.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Knight, Patterson of Linn, and Tiernan—7.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-EIGHTH DAY—THURSDAY, April 24, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker, *pro tem.* in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Taylor, the further reading was dispensed with.

Mr. Taylor offered the following resolution :

Resolved, That the sum of fifty dollars and twenty-five cents be allowed the special committee to investigate the State Treasury, for trip to Warrensburg, on business of committee ; which was read and adopted.

Mr. Mott presented memorials from the citizens of St. Louis, praying the Legislature to so amend the stock law as to relieve it of its obnoxious features ; which was read, and, on motion, referred to the St. Louis Delegation.

Mr. Manistre presented a memorial from citizens of St. Louis, praying the Legislature to so amend the stock law as to relieve it of its obnoxious features ; which was read, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 320, entitled An act in relation to the title to certain school lands in township 45 north, range 6, east of the fifth principal meridian ; was called up, and read the first time.

Senate bill No. 361, entitled An act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act ; was called up, and read the first time.

Mr. Farr, from the Committee on Education, submitted the following report :

MR. SPEAKER : Your Committee on Education, to whom was referred House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877, beg leave to report that they have considered the same, and recommend that the accompanying substitute do pass ; which was read.

House bill No. 706 ; was taken up, with the substitute recommended by the Committee on Education.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 690, entitled An act to authorize county courts in the State of Missouri, to cause accurate surveys to be made of lands embraced in French and Spanish claims in State of Missouri, in order to legally assess them, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Ways and Means; which was read.

House bill No. 690; was taken up, and, on motion, referred to the Committee on Ways and Means.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights and measures, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 645; was taken up, and, on motion, ordered engrossed and printed.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 456, entitled An act to regulate warehouses, and the storage of grain in warehouses, and to prevent fraud in handling grain, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 456; was taken up, with the substitute recommended by the Committee on Agriculture.

The substitute was read and agreed to, and, on motion, ordered to engrossment and printing.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bill No. 487, entitled An act to repeal an act to prevent the destruction of fish, approved April 17, 1877, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 487; was taken up, and, on motion, ordered to engrossment and printing.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State, beg leave to report that they have considered the same, and report it back to the House without recommendation; which was read.

Senate substitute for Senate bill No. 162; was taken up.

Mr. Davis offered the following amendment:

Strike out the words, "by limitation the same as if this act had not been passed," in lines 22 and 23, of printed bill; which was read and agreed to.

Pending the consideration of the bill, the hour of ten o'clock having arrived, the roll of the House was called, and the following members responded to their names:

Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—123.

Senate bill No. 151, entitled An act to amend sections 2, 3, 4, 5, 9, 11, 14, 17 and 18 of an act, approved April 12, 1877, entitled an act to provide for the collection of delinquent taxes due the State, and repealing section 184 of an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objection.

Senate substitute for Senate bills 5, 45, 148 and 156, entitled An act to prohibit the officers or agents of this State, and other persons from negotiating, assigning, transferring or hypothecating the bonds

of the State, school and seminary funds; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 561, entitled An act to authorize the board of trustees of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies, and find the same truly and correctly enrolled; which was read.

House bill No. 561; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 615, entitled An act to admit Henry K. Legg, of Barry county to the practice of medicine and surgery in this State, and find the same truly and correctly enrolled; which was read.

House bill No. 615; was taken up, read at length by the Clerk, signed by the Speaker without objection, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 6, entitled Joint and concurent resolution memorializing Congress for the improvement of White River, and find the same truly and correctly enrolled; which was read.

House concurrent resolution No. 6; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objection, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined Substitute for House bills Nos. 233, 268 and 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor, and find the same truly and correctly enrolled; which was read.

Substitute for House bills Nos. 233, 268 and 158; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 28, entitled Concurrent resolution urging the passage of an act of Congress to allow the 15th and 16th Regiments Missouri Cavalry Volunteers a bounty, and find the same truly and correctly enrolled; which was read.

House concurrent resolution No. 28; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objection, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 11, entitled Concurrent resolution memorializing Congress to curtail the expenditures of the National Government as shall not seriously cripple the public service, and find the same truly and correctly enrolled; which was read.

House concurrent resolution No. 11; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objection, and presented by the Chief Clerk to the Governor.

The House resumed consideration of Senate substitute for Senate bill No. 162.

Mr. Campbell of Atchison offered the following amendment:

Amend section 1 by adding, "and further provided that before any railroad company shall be entitled to the provisions of this act, it shall file with the Secretary of State a proper release, duly acknowledged, discharging all individuals, counties, towns, cities, townships, or parts of townships, from all stock or aid subscribed, voted or promised in aid of its construction or maintainance, in counties through which said company may fail to complete its road by the 29th of June, 1879; which was read and agreed to.

The bill as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Berry, Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dilley, Dougherty, Drum, Ellis, Ewing, Foster, Greer, Gwynne, Hayes, Ham, Hammons, Harri-

gan, Harrington, Hubbard, Helm, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, Organ, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Waggener, Warren, Weygandt, Wiley, Windes, Wisby, Withers and Younger—85.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Booth, Boulware, Brown, Cowan of Christian, Craig, Creager, Dade, Dale, Dawson, Diercks, Finks, Gray, Hall, Hale, Haynes, Harrison, Hynes, Ingram, Kneisley, McKinney, O'Malley, Palmer, Pehle, Price and Whitaker—29.

ABSENT—Messrs. Burrows, Chenoweth, Farr, Johnson, Kendall, Maynard, Miles, Moler, Morrison, McGarry, Patterson of Schuyler, Souder and Turner—13.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, McDaniel, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

The emergency clause was not adopted, by the following vote :

AYES—Messrs. Adams, Berry, Berryman, Bohannon, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Waggener, Warren, Weygandt, Wiley, Windes, Wisby and Withers—95.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Booth, Boulware, Brown, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Gray, Hall, Hale, Haynes, Hynes, Ingram, Kneisley, Manistre, Miles, McKinney, O'Malley, Pehle, Price, Whitaker and Younger—28.

ABSENT—Messrs. Burrows, Kendall, Maynard, Souder and Turner—5.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

Mr. Boulware moved to reconsider the vote by which the House failed to adopt the emergency clause.

Mr. McKinney moved to lay the motion to reconsider on the table; which was not agreed to.

The question recurring upon the motion to reconsider the vote by which the House failed to adopt the emergency clause; it was agreed to.

The question recurring upon the adoption of the emergency clause, the roll was called, and the emergency clause again failed to pass by the following vote:

AYES—Messrs. Adams, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Ham, Hammons, Harrigan, Harrington, Hubbard, Helm, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McGarry, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Powell, Powers, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Wisby and Withers—90.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Booth, Brown, Collins, Cowan of Christian, Craig, Creager, Dade, Dale, Diercks, Hall, Hale, Harrison, Haynes, Hynes, Ingram, Kneisley, Manistre, Miles, McKinney, O'Malley, Pehle, Whitaker and Younger—28.

ABSENT—Messrs. Bonham, Burrows, Dawson, Gray, Johnson, Kendall, Maynard, Moler, Pollard, Souder and Windes—11.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—8.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts in counties having a population exceeding fifty thousand, beg leave to report that they have considered the same, and recommend that the bill be referred to your Committee on Judiciary; which was read.

Senate bill No. 299 was taken up, and, on motion, referred to the Committee on Judiciary.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 603, entitled an act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts, beg leave to report that they have considered the same, and recommend that it do pass, with accompanying amendments; which was read.

House bill No. 603 was taken up, with the following amendments, recommended by the St. Louis Delegation:

Amendment No. 1—Amend section 3 by striking out after the word "wharf," in line 7 of said section, all of the following words: "Provided said boat or other water craft shall discharge cargo the transportation of which shall amount to the sum of four dollars;" which was read and agreed to.

Amendment No. 2—Amend section 3 by striking out after the word "wharf" in line eighteen of said section, all of the following words: "Provided the transportation charges on the cargo landed shall exceed three dollars; but no such charge shall be made against boats or other vessels which have been returned and assessed for taxation within said county, city or corporation;" which was read and agreed to.

Amendment No. 3—Amend section 5 by adding after the word "repealed," in line five of said section, the following: "and all other acts and parts of acts inconsistent and in conflict with the provisions of this act are hereby repealed;" which was read and agreed to.

On motion, the bill, as amended was ordered engrossed and printed.

Mr. Foster, from the Committee on St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred Senate bill No. 251, entitled An act in relation to courts of record in the city of St. Louis, and imposing additional duties upon

the sheriff in relation thereto, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 251 was taken up.

Pending the consideration of the bill,

On motion of Mr. Taylor, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Mr. Lesueur, Acting Speaker *pro tem.*, in the chair.

The House resumed the consideration of Senate bill No. 251, pending at the hour of recess.

The question being upon the third reading and passage of the bill,

It was read the third time, and passed by the following vote:

AYES—Messrs. Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dilley, Dougherty, Drum, Ellis, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Helm, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Weygant, Wiley, Windes, Wisby and Younger—87.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Cloud, Cooper, Cowan of Christian, Gray, Harrington, Harrison, Ingram, Johnson, Lackland, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis, McElvain, Pehle, Pepper, Powell, Whitaker and Withers—25.

ABSENT—Messrs. Bryan, Burford, Burrows, Chitwood, Craig, Dade, Dawson, Diercks, Ewing, Hynes, Kendall, Kneisley, Miles, McGarry, Souder, Smith of Cedar and Waggener—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Taylor moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE,
CITY OF JEFFERSON, April 24, 1879. }

HON. A. A. LESUEUR, Acting Speaker House of Representatives :

SIR: I return to the House, with my approval indorsed thereon, bills of the following titles :

An act to admit Henry K. Legg, of Barry county, to the practice of medicine and surgery in this State ;

An act authorizing the Board of Directors of the town of Wells-ville, Montgomery county, Missouri, to take up and remove certain dead bodies ;

An act to repeal section 2 of an act entitled an act in relation to the public institutions of the State, approved April 28, 1877 ;

An act amending section 54 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877 ;

Joint and concurrent resolution memorializing Congress for the improvement of White River ;

Concurrent resolution urging the passage of an act of Congress to allow the 15th and 16th regiments Missouri cavalry volunteers, a bounty ;

Concurrent resolution memorializing Congress to curtail the expenditures of the National Government, as far as shall not seriously cripple the public service.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Foster, from the St. Louis Delegation, submitted the following report :

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred Senate bill No. 280, entitled An act to amend section 1 of an act entitled an act to define and conform the laws of the State to section 23 of article 9 of the Constitution, approved May 2, 1877, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

Senate bill No. 280 ; was taken up, read the third time, and passed by the following vote :

AYES — Messrs. Adams, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of At-

chison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrison, Hubbard, Helm, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn Maynard, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Price, Ragan, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Windes, Weygandt, Wiley and Wisby—89.

NOES—Messrs. Alldridge, Andrews, Burford, Cloud, Cowan of Christian, Johnson, Lockhart, Manistre, Mott, Pepper, Powell, Smith of Cedar, Whitaker and Withers—14.

ABSENT—Messrs. Beckner, Brown, Burrows, Cooper, Crowther, Dade, Dawson, Gray, Haynes, Harrington, Hynes, Ingram, Kendall, Kneisley, Knight, Miles, Morrison, McGarry, Pehle, Pollard, Rawlings, Riley, Souder, Waggener, Warren and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred Senate bill No. 281, entitled An act to repeal an act entitled an act relating to the office of marshal of the city of St. Louis, approved May 2, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate bill No. 281, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Hubbard, Helm, Ingram, Kneisley,

Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Weygandt, Wiley, Windes, Wisby and Younger—96.

NOES—Messrs. Alldridge, Andrews, Beckner, Burford, Cloud, Cooper, Gray, Harrison, Hynes, Johnson, Lackland, Lockhart, Manistre, Mott, Mudd of St. Louis, Pepper, Powell, Smith of Cedar and Whitaker—19.

ABSENT—Messrs. Brewer, Burrows, Campbell of St. Louis city, Dade, Dawson, Haynes, Harrington, Kendall, Miles, McGarry, Pehle, Souder, Waggener and Withers—14.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred Senate bill No. 282, entitled An act to repeal an act entitled an act in relation to final process from courts of record in the city of St. Louis, and the duty of certain officers relative thereto, approved May 2, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate bill No. 282, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Ellis, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Helm, Kneisley, Knight, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, Mc-

Intyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Weygandt, Wiley, Windes, Wisby and Younger—94.

NOES—Messrs. Alldridge, Andrews, Beckner, Burford, Cooper, Gray, Harrison, Hynes, Ingram, Lockhart, Manistre, Mott, Mudd of St. Louis, Pehle, Pepper, Powell, Smith of Cedar and Whitaker—18.

ABSENT—Messrs. Burrows, Cloud, Cowan of Christian, Dade, Dawson, Ewing, Harrington, Johnson, Kendall, Lackland, Lynn, Miles, McGarry, Rawlings, Souder, Waggener and Withers—17.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Davis, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 156, entitled An act to provide for the formation of draining districts to reclaim and drain swamp and overflowed lands in this State, and find the same truly and correctly enrolled; which was read.

House bill No. 156; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 568, entitled An act to amend section 1 of an act entitled an act restrain domestic animals of the species of horse, cattle, mule, ass, swine or goat, from being herded on lands other than that of the owner of such herd, and to restrain such animals from running at large in the city of St. Louis, and in the county of St. Louis, approved April 11, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 588, entitled An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 679, entitled To prevent fraud and protect the public health, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 461, entitled For the relief and benefit of S. W. Smith and J. R. Jones, of Benton county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 665, entitled An act allowing ex-county collectors and their attorneys one-half of the commissions on judgments obtained in suits of back taxes by them, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House concurrent resolution No. 31, entitled Concurrent resolution of the House of Representatives and Senate of the Thirtieth General Assembly of the State of Missouri, submitting an amendment to article 4 of the constitution of the State of Missouri to a vote of the qualified voters of the State at the general election to be holden on the Tuesday next after the first Monday in November, in the year A. D. 1880, providing for the removal of the seat of government of the State of Missouri from the City of Jefferson, in Cole county, to the city of Sedalia, in Pettis county, beg leave to re-

port that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute for Senate bill No. 194; was taken up, with the following amendment recommended by the Committee on Ways and Means:

Add a new section to be numbered as section 2, which shall read as follows: Sec. 2. There being an emergency requiring this act to take effect ninety days after the adjournment of this session of the General Assembly, this act shall take effect and be in force from and after its approval by the Governor; which was read and agreed to.

Mr. Taylor offered the following amendment:

Amend by striking out all of line 63 of printed bill; which was read.

Mr. Harrington moved that the further consideration of the bill and amendment be postponed until to-morrow morning at 10 o'clock; which was not agreed to.

The question recurring upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berryman, Boulware, Brady, Brewer, Brown, Burford, Campbell of Atchison, Carleton, Carroll, Cloud, Cock, Coleman Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Dale, Davis, Piercks, Dougherty, Drum, Ellis, Finks, Foster, Greer, Hayes, Hale, Ham, Harrigan, Harrison, Hubbard, Ingram, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Rawlings, Saunders, Smith of Cedar, Spring, Talbot, Taylor, Turner, Warren, Whitaker, Wiley and Withers—72.

NOES—Messrs. Beckner, Bohannon, Booth, Bowman, Bryan, Chenoweth, Chilton, Chitwood, Cowan of Holt, Creager, Crowther,

Dilley, Ewing, Gray, Hammons, Haynes, Harrington, Hynes, Johnson, Kneisley, Lackland, Lockhart, Mahn, Manistre, Maynard, Mudd of St. Louis, McCormick of St. Louis city, McIntyre, Organ, Palmer, Price, Riley, Weygandt, Windes, Wisby and Younger—36.

ABSENT—Messrs. Berry, Burrows, Campbell of St. Louis city, Crow, Dade, Dawson, Farr, Gwynne, Hall, Helm, Kendall, Mott, Pepper, Pollock, Pollard, Ragan, Settles, Souder, Smith of St. Louis city, Tevis and Waggener—21.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

Mr. Powell offered the following amendment:

Amend by striking out lines 12 and 13 of printed bill; which was read.

Mr. Taylor offered the following substitute for the amendment:

Amend by inserting ten thousand dollars in lieu of twelve thousand, five hundred dollars; which was read.

The question being upon agreeing to the substitute,

The ayes and noes were demanded, and the substitute was not agreed to by the following vote:

AYES—Messrs. Adams, Berryman, Booth, Coleman, Cowan of Holt, Cox, Crowther, Davis, Dougherty, Ellis, Ewing, Foster, Hayes, Hale, Harrington, Harrison, Helm, Larimore, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McIntyre, McKill, Phelan, Ragan, Riley, Taylor, Tevis, Whitaker and Wiley—37.

NOES—Messrs. Alldridge, Andrews, Bashaw, Berry, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Craig, Creager, Crow, Dale, Diercks, Dilley, Drum, Farr, Finks, Gray, Greer, Ham, Hammons, Haynes, Hubbard, Hynes, Ingram, Johnson, Kneisley, Knight, Lesueur, Louthan, Manistre, Maynard, Miles, Moler, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Powell, Powers, Price, Rawlings, Smith of Cedar, Smith of St. Louis city, Talbot, Turner, Warren, Weygandt, Windes, Wisby, Withers and Younger—73.

ABSENT—Messrs. Beckner, Bohannon, Burrows, Campbell of St. Louis city, Chenoweth, Dade, Dawson, Gwynne, Hall, Harrigan, Kendall, Lackland, Pollock, Pollard, Saunders, Settles, Souder, Spring and Waggener—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Dodson, Freed, Patterson of Linn and Tiernan—5.

The question recurring upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Berry, Booth, Boulware, Bowman, Brewer, Brown, Burford, Chenoweth, Cloud, Coleman, Collins, Cooper, Cowan of Christian, Craig, Creager, Crow, Dale, Diercks, Gray, Greer, Hale, Hammons, Hynes, Ingram, Johnson, Knight, Lynn, Maynard, Miles, Moler, Mudd of Lincoln, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Powell, Price, Ragan, Rawlings, Smith of Cedar, Turner, Warren, Whitaker, Wiley, Windes, Withers and Younger—54.

NOES—Messrs. Berryman, Bryan, Campbell of Atchison, Carleton, Chilton, Chitwood, Cook, Cowan of Holt, Cox, Crowther, Davis, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Ham, Haynes, Harrington, Harrison, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Phelan, Powers, Riley, Saunders, Smith of St. Louis city Spring, Talbot, Taylor, Tevis, Waggener, Weygandt and Wisby—57.

ABSENT—Messrs. Adams, Bohannon, Brady, Burrows, Carroll, Cock, Dade, Dawson, Freed, Hall, Harrigan, Kendall, Louthan, Mabrey, Pollock, Pollard, Settles and Souder—18.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Patterson of Linn and Tiernan—5.

Mr. Hynes offered the following amendment:

Amend by striking out lines 69 and 70; which was read and not agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 511, entitled An act to preserve the purity of elections, and prevent official corruption;

House bill No. 584, An act to appropriate money for the erection of a tombstone over the remains of the Hon. Thos. J. Howell, late Representative; and

House concurrent resolution No. 32, memorializing Congress to repeal certain statutes, and to modify the existing laws relating to the removal of causes from the State courts, to the circuit courts of the United States; which was read.

The House resumed the consideration of Senate bill No. 194.

Mr. Powell offered the following amendment:

Amend by striking out lines 14, 15, 16 and 17, in section 1 of printed bill: which was read.

Pending the consideration of the amendment,

On motion of Mr. Farr, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-SEVENTH DAY—WEDNESDAY, April 23, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Taylor, the further reading was dispensed with.

Mr. Warren offered the following resolution:

Resolved, That 8 o'clock be fixed as the regular hour of meeting for this House during the remainder of this session; which was read and laid over until Thursday, April 24, 1879.

Senate substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 353, entitled An act supplemental to and amendatory of an act entitled an act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the twenty-fourth judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections to be known as and numbered sections 27, 29, 30, 31, 32, 33, 34, 35 and 36, approved March 24, 1879, by adding a new section thereto, numbered and to be known as section No. 16; was called up,

read the second time, and, on motion, referred to the Committee on Judiciary.

Mr. Gray offered the following resolution :

WHEREAS, An invitation, signed by more than one hundred and twenty members of this General Assembly, has been extended to Hon. Henry Clay Dean to deliver an address on the financial condition of the country; and,

WHEREAS, Mr. Dean has consented to deliver such address on Friday night next; therefore,

Resolved, That the use of this Hall be tendered to that gentleman on the night of the 25th inst.; which was read and adopted.

Substitute for House bills Nos. 251, 280 and 227; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Withers and Younger—107.

NOES—Messrs. Bowman, Cloud, Cooper, Crow, Knight, Mudd of St. Louis and Tevis—7.

ABSENT—Messrs. Brady, Dale, Davis, Dilley, Foster, Gwynne, Haynes, Kendall, Lackland, Manistre, Mott, Pepper and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Pollock, Swank, Vancleve and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Reynolds for eight days.

Leave of absence was granted Mr. Wells for seven days.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 448, entitled An act for the relief of Sullivan and Dodd of Macon county, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 448; was taken up, and the House refused to order the bill to engrossment and printing.

House bill No. 673, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2 at St. Joseph, and to appoint commissioners to superintend the erection of the same; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Bashaw, Bohannon, Boulware, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Haynes, Hall, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Johnson, Kniesley, Knight, Lackland Larimore, Lesueur, Lockhart, Louthan, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wiley and Younger—90.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Brown, Cowan of Christian, Dade, Drum, Greer, Hale, Ham, Harrison, Hynes, Ingram, Lynn, Mabrey, Miles, Morrison, McCormick of Washington, Organ, Pehle, Pepper, Powell, Rawlings, Souder, Smith of Cedar, Waggener, Whitaker, Windes and Withers—31.

ABSENT—Messrs. Booth, Burford, Davis, Kendall, Pollard and Wisby—6.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Pollock, Swank, Vancleve and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

The emergency clause to the bill was adopted by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Bohannon, Boulware, Bowman, Brady, Brewer, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Wiley, Withers and Younger—102.

NOES—Messrs. Alldridge, Andrews, Beckner, Brown, Cowan of Christian, Dade, Drum, Greer, Ham, Ingram, Miles, Organ, Powell, Rawlings, Souder, Smith of Cedar, Waggener, Whitaker and Windes—19.

ABSENT—Messrs. Booth, Burford, Davis, Kendall, Morrison and Wisby—6.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Pollock, Swank, Vancleve and Mr. Speaker—10.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn and Tiernan—6.

Mr. Crowther offered the following amendment to the title:

Amend the title by striking out the word "lunatic," and insert the word "insane."

The title as amended was agreed to.

Mr. Crowther moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 General Statutes of Missouri, concerning garnishment, with House amendments, and ask a Committee of Conference, owing to the irregular proceedings of the House, and has appointed as such committee on the part of the Senate, Senators Hockaday and Wilson;

I am also instructed by the Senate to return to the House, in compliance with a request by resolution thereof, House bill No. 491, which is herewith submitted ; which was read.

The Speaker *pro tem.* appointed as a Committee of Conference, on House amendment to Senate substitute No. 10 for Senate bill No. 52, Messrs. Lackland and Carleton.

The hour of 10 o'clock having arrived, under a resolution of the House, the roll was called, and the following members answered to their names :

Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—124.

Mr. Crowther was reported sick.

Mr. Whitaker moved to reconsider the vote by which substitute for House bills Nos. 157 and 457 failed to pass on yesterday ; which was agreed to.

Substitute for House bills Nos. 157 and 457, entitled An act to amend section 8 of chapter 98, General Statutes of 1865, entitled dramshop-keepers and their licenses ; was taken up.

The question being upon the passage of the bill ; the roll was called, and the bill again failed to pass by the following vote :

AYES—Messrs. Adams, Andrews, Bashaw, Beckner, Berry, Bohannon, Boulware, Bryan, Burrows, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dougherty, Dryden, Ellis, Ewing, Gray, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer,

Pollard, Rawlings, Riley, Reynolds, Smith of Cedar, Warren, Wells, Whitaker, Withers and Younger—57.

NOES—Messrs. Alldridge, Bowman, Brady, Brewer, Brown, Burford, Campbell of Atchison, Carroll, Chitwood, Cock, Cooper, Cox, Dale, Dawson, Diercks, Drum, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Ham, Hammons, Haynes, Harrigan, Hubbard, Kneisley, Lackland, Louthan, Mabrey, Mahn, Manistre, Miles, Moler, Mott, McCormick of St. Louis city, McGarry, O'Malley, Pehle, Pepper, Phelan, Pollock, Powell, Price, Ragan, Settles, Souder, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Weygandt, Wiley, Windes Wisby and Powers—60.

ABSENT—Messrs. Booth, Davis, Dilley, Kendall, Maynard, Mudd of St. Louis, Patterson of Schuyler, Saunders, Spring and Waggener—10.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Swank, Vancleve and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Crowther, Dodson, Freed, Patterson of Linn and Tiernan—7.

The special order being the consideration of House bill No. 541, entitled An act to establish a bureau of labor statistics; was taken up, read the third time, and failed to pass, by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Brady, Burford, Carleton, Carroll, Chenoweth, Cloud, Cowan of Christian, Cowan of Holt, Dade, Davis, Dilley, Drum, Farr, Gray, Hall, Hammons, Harrington, Ingram, Knight, Lesueur, Mahn, Manistre, Maynard, Moler, Morrison, Mott, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Pepper, Phelan, Powell, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tevis, Whitaker, Wisby and Withers—50.

NOES—Messrs. Boulware, Bowman, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Chilton, Chitwood, Cock, Coleman, Cook, Cooper, Cox, Craig, Creager, Crow, Dale, Dawson, Diercks, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Greer, Gwynne, Hayes, Hale, Ham, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Miles, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Souder, Spring, Turner, Warren, Wells, Weygandt, Wiley, Windes and Younger—71.

ABSENT—Messrs. Bashaw, Booth, Collins, Fréed, Kendall, Lackland and Waggener—7.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Swank, Vancleve and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of Atchison, Crowther, Dodson, Patterson of Linn and Tiernan—6.

Mr. Louthan moved to reconsider the vote by which the bill pass, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute No. 20 for Senate bill No. 52, entitled An act to revise and amend chapter 152 of the General Statutes of Missouri, concerning partitions; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

The special order being the consideration of substitute for House bill No. 552, entitled An act relating to street railroads; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Crow, Dade, Dale, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Ham, Harrigan, Harrington, Harrison, Hubbard, Hynes, Ingram, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Riley, Reynolds, Souder, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley and Withers—96.

NOES—Messrs. Brady, Carroll, Cox, Craig, Creager, Davis, Hammons, Johnson, Maynard, O'Malley, Pollock, Ragan, Rawlings, Saunders, Spring, Wells, Windes and Wisby—18.

ABSENT—Messrs. Bashaw, Bowman, Chilton, Coleman, Dilley, Farr, Finks, Freed, Haynes, Helm, Kendall, Knight, Lackland, Settles and Younger—15.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, Swank, Vancleve and Mr. Speaker—8.

SICK—Messrs. Ballew, Campbell of St. Louis city, Crowther, Dodson, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 615, entitled An act to admit Henry K. Legg, of Barry county, to the practice of medicine and surgery in this State ; which was read.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 320, entitled An act in relation to the title to certain school lands in township 45 north, range 7, east of the fifth principal meridian, and have adopted the emergency clause thereto ;

Also, Senate bill No. 361, entitled An act for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act ; in which the concurrence of the House is respectfully requested ;

Also, that the Senate has taken up and passed House joint and concurrent resolutions Nos. 6, 11 and 28 ;

Also, House bill No. 156, entitled An act to provide for the formation of drainage districts to reclaim and drain swamp and overflowed lands in this State ;

Also, substitute for House bills Nos. 233, 268 and 158, entitled An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor ;

Also, House bill No. 561, entitled An act to authorize the board of trustees of the town of Wellsville, Montgomery county, Missouri, to take up and remove certain dead bodies, and have adopted the emergency clause thereto ;

Also, that the Senate has taken up, and failed to pass House bill No. 513, entitled An act to require the Governor to appoint Committees of the General Assembly to examine the State Institutions ;

Also, that the Senate has taken up, and refused to concur in House amendments to substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes, concerning county buildings, and the removal of county seats, and requests the House to recede therefrom ; which was read.

Mr. Wiley, from the Committee on Constitutional Amendments, submitted the following report :

MR. SPEAKER : Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 31, proposing

to submit to a vote of the people, an amendment to article 4 of the Constitution of the State of Missouri, providing for the removal of the seat of government of this State, from Jefferson City to Sedalia, beg leave to report that they have considered the same, and that your committee, by a majority thereof, have adopted the accompanying substitute for said resolution, and recommend that it be adopted; which was read.

House concurrent resolution No. 31, was taken up with the substitute recommended by the Committee on Constitutional Amendments.

Mr. Louthan moved to lay the substitute on the table.

The ayes and noes being demanded, the motion to lay the substitute on the table, was not agreed to by the following vote :

AYES—Messrs. Alldridge, Berry, Booth, Brewer, Diercks, Drum, Gray, Hale, Haynes, Lackland, Louthan, Mott, Mudd of Lincoln, McKinney, Pehle, Souder, Warren, Weygandt and Windes—19.

NOES—Messrs. Adams, Andrews, Bashaw, Beckner, Bohannon, Boulware, Bowman, Brady, Brown, Bryan, Burrows, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Ham, Hammons, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Wells, Whitaker, Wiley, Wisby, Withers and Younger—99.

ABSENT—Messrs. Burford, Chilton, Dade, Kendall, McGarry, Manistre, Pollock, Settles and Smith of St. Louis city—9.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Swank, Vancleve and Mr. Speaker—9.

SICK—Messrs. Ballew, Campbell of St. Louis city, Crowther, Dodson, Freed, Patterson of Linn and Tiernan—7.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

On motion of Mr. Brown, the Speaker *pro tem.*, appointed Mr. Bryan as a member of the Hannibal and St. Joseph Railroad Investigating Committee, to fill the place of Mr. Wells, who was called home on account of sickness in his family.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Lesueur, Acting Speaker *pro tem.*, in the chair.

The following message was received from the Senate, through its Secretary, Mr. Pemberton :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President of the Senate has appointed as a Committee of Conference to consider substitute No. 28 for Senate bill No. 52, Senators Hockaday, Wilson and Parrish, to act with Messrs. Lackland, Dade and Booth.

Also, as a Committee of Conference to consider Senate bill No. 59, Senators D'Armond, Wallace and Ballingal, to act with Messrs. McIntyre, McDaniel, Dryden and Anderson.

Also, as a Committee on Conference, to consider substitute 26 for Senate bill No. 52, Senators Cottey, Loyd and Cabell, to act with Messrs. McIntyre, Lackland and Booth.

Also, as a Committee of Conference to consider substitute No. 7 for Senate bill No. 52, Senators Parrish, Hudson and Lakenan, to act with Messrs. Gwynne, Bryan and Hayes ; which was read.

Mr. Bryan moved to reconsider the vote by which House bill No. 429 was ordered engrossed and printed ; which was agreed to.

On motion, the further consideration of the bill was laid over informally.

Mr. Davis, from the Committee of Conference, on House amendments Nos. 6, 7, 8 and 21, to Senate substitute for Senate bills No. 60 and 204, submitted the following report :

MR. SPEAKER: Your committee appointed to confer with a similar committee from the Senate, touching the differences between the two bodies on House amendments to Senate substitute for Senate bills Nos. 60 and 204, said amendments being numbered 6, 7, 8 and 21, beg leave to make the following report: The joint committee of conference recommend that the House recede from amendments Nos. 6, 7 and 8, and that House amendment No. 13 be agreed to by the Senate, with the following proviso to be added thereto: Provided, that the order in which civil and criminal cases are above directed to be docketed may be changed from time to time by order of the court, or

of the judge thereof in vacation, so that section 288 of the bill shall read as follows:

SECTION 288. One of such dockets shall be known as the "court docket," the other as the "bar docket," and shall be arranged appropriately, with spaces for the names of attorneys and brief statements of the orders and judgments of the court in the respective cases. Such cases shall be docketed as follows: First, all criminal cases; second, all civil cases for trial; third, the return cases, showing whether process has been served or not: Provided, that the order in which civil and criminal cases are above directed to be docketed, may be changed from time to time, by order of the court, or the judge thereof in vacation.

And said committee further recommend the adoption of the following amendment to section 279 of the bill, so that said section will read as follows:

SECTION 279. Upon the appeal being made, the court from which an appeal is prayed shall make an order allowing the appeal; and such allowance thereof shall stay the execution in the following cases, and no others: First, when the appellant shall be an executor or administrator, guardian or curator, and the action shall be by or against him as such; second, when the appellant, or some responsible person for him, together with two sufficient securities to be approved by the court, shall, during the term at which the judgment appealed from was rendered, enter into a recognizance (or bond) to the adverse party, in a penalty double the amount of whatever debt, damages and costs, or damages and costs, have been recovered by such judgment, together with the interest that may accrue thereon, and the costs and damages that may be recovered in any appellate court upon the appeal, conditioned that the appellant will prosecute his appeal with due diligence to a decision in the appellate court, and shall perform such judgment as shall be given by such court, or such as the said court may direct the circuit court or St. Louis Court of Appeals to give, and if the judgment of such court, or an part thereof, be affirmed, that he will comply with and perform the same, so far as it may be affirmed, and will pay all damages and costs which may be awarded against the appellant by any appellate court. And the execution and approval of such recognizance or bond shall operate as a suspension of the lien of the judgment appealed from as to the party taking such appeal, pending the proceedings thereon in the appellate court.

And the said committee recommend the adoption of the following amendment of section 334, to-wit:

Amend section 334 by striking out the words "it shall always appear, in the opinion, which of the judges delivered the same, and who concurred or dissented," in the third, fourth and fifth lines of said section, as per printed bill; which was read.

The question being upon the adoption of the report, the ayes and noes were demanded, and the report was not adopted, by the following vote:

AYES—Messrs. Bashaw, Berry, Brady, Bryan, Campbell of Atchison, Chilton, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Craig, Davis, Dougherty, Farr, Finks, Ham, Hubbard, Hynes, Helm, Lesueur, Mabrey, Mahn, Mudd of Lincoln, McElvain, O'Malley, Powers, Saunders, Taylor, Tevis, Wiley and Wisby—33.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Carleton, Carroll, Chenoweth, Cock, Coleman, Cooper, Cowan of Christian, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Drum, Dryden, Ellis, Ewing, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Harrison, Ingram, Johnson, Knight, Lackland, Larimore, Lockhart, Louthan, Lynn, Mackey, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Price, Rawlings, Riley, Souder, Smith of Cedar, Spring, Turner, Warren, Weygandt, Whitaker and Withers—74.

ABSENT—Messrs. Burford, Burrows, Dilley, Hammons, Harrigan, Kendall, Kneisley, Maynard, Miles, Moler, Pollock, Pollard, Ragan, Settles, Smith of St. Louis city, Talbot, Windes and Younger—18.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Reynolds, Swank, Vancleve, Wells, and Mr. Speaker—11.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn, Tiernan and Waggener—7.

Mr. McCormick offered the following resolution:

Resolved, That the obligation of \$34.00, incurred by the St. Louis Committee, be allowed by this House; which was read and adopted.

Mr. Davis moved to reconsider the vote by which the House failed to adopt the emergency clause to House bill No. 491; which was agreed to.

House bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds; was taken up.

The question being upon the adoption of the emergency clause, the roll was called, and the emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Warren, Weygandt, Whitaker, Wiley, Wisby, Withers and Younger—100.

NOES—Messrs. Hynes, Manistre and Pehle—3.

ABSENT—Messrs. Brown, Burford, Burrows, Dade, Finks, Hall, Harrigan, Kendall, Lackland, Louthan, Mackey, Maynard, Miles, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, O'Malley, Pollock, Pollard, Tevis and Windes—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—11.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn, Tiernan and Waggener—7.

Mr. Waggener was reported sick.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred substitute No. 2 for House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 682, entitled An act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times

of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 631, entitled An act to prevent county courts from contracting any indebtedness, in any one year, in excess of the revenues of said year, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 662, entitled An act to provide that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge or clerk of elections in cities or towns of this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 638, entitled An act to appropriate money, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred Substitute for House bill No. 350, entitled An act to appropriate money to pay revenue bonds, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report :

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 37, proposing to submit to a vote of the people an amendment to section 2 of article 8 of the Constitution of the State of Missouri, entitled of

suffrage and elections, beg leave to report that they have considered the same and recommend that it be not adopted; which was read.

House concurrent resolution No. 37 was taken up.

Mr. Haynes moved that the resolution be indefinitely postponed.

The ayes and noes being demanded, the motion to indefinitely postpone was not agreed to by the following vote:

AYES—Messrs. Bashaw, Berry, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cox, Crow, Crowther, Dale, Dawson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gwynne, Hayes, Hale, Ham, Hammons, Haynes, Harrison, Hubbard, Helm, Kneisley, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McKill, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Talbot, Turner, Warren, Weygandt and Wiley—64.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Brady, Campbell of Atchison, Carleton, Carroll, Chenoweth, Cloud, Cowan of Christian, Cowan of Holt, Craig, Creager, Dade, Davis, Dilley, Foster, Gray, Greer, Hall, Harrington, Hynes, Ingram, Johnson, Knight, Lackland, Larimore, Lockhart, Manistre, Maynard, Mott, Mudd of St. Louis, McElvain, McGarry, McKinney, O'Malley, Organ, Phelan, Powell, Rawlings, Souder, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Whitaker, Wisby and Withers—50.

ABSENT—Messrs. Burford, Burrows, Diercks, Harrigan, Kendall, Miles, McCormick of St. Louis city, Pollock, Tevis, Windes and Younger—11.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Berryman, Bonham, McDaniel, McIntyre, Reynolds, Swank, Vancleve, Wells and Mr. Speaker—11.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dodson, Freed, Patterson of Linn, Tiernan and Waggener—7.

On motion of Mr. Davis, the Committee on Ways and Means was granted leave of absence for the balance of the afternoon.

House bill No. 429, entitled An act to license dealers in tobacco and cigars; was called up.

Mr. Bryan offered the following amendment:

Strike out the words "six dollars" wherever they occur, and insert "four dollars;" which was read and agreed to.

The bill, as amended, was ordered engrossed and printed.

On motion of Mr. Moler, the House adjourned until to-morrow morning at 9 o'clock.

EIGHTY-NINTH DAY—FRIDAY, April 25, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Rawlings, the further reading was dispensed with.

Leave of absence was granted Mr. McCormick of St. Louis city for four days.

Leave of absence was granted Mr. Saunders for six days.

Leave of absence was granted Mr. Souder for an indefinite number of days, in consequence of sickness.

Messrs. Dade and Ham were reported sick.

Mr. Powers offered the following resolution:

WHEREAS, It is important that the present General Assembly should complete the work before it, and necessary to be finished at as early a day as possible, that the wishes of the people of this State may be carried out; therefore,

Resolved, That this House will continue in session, without regard to compensation, until the work of revision is completed, and it is unnecessary for a called session to do the work that devolved upon the General Assembly at the present session; which was read.

The question being upon the adoption of the resolution,

The ayes and noes were demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Alldridge, Bashaw, Berry, Berryman, Bohannon, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mudd of Lincoln, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Waggener, Warren, Weygandt, Wiley, Wisby and Withers—83.

NOES—Messrs. Adams, Andrews, Beckner, Cooper, Creager, Crowther, Gray, Harrington, Ingram, Johnson, Knight, Lockhart, Manistre, Maynard, Miles, Morrison, Mott, McCormick of Washington, McElvain, McKinney, Powell, Rawlings, Smith of Cedar, Whitaker and Younger—25.

ABSENT—Messrs. Booth, Brady, Campbell of Atchison, Dade, Dilley, Foster, Gwynne, Hall, Harrigan, Kendall, Mudd of St. Louis, O'Malley, Pepper, Pollock, Turner and Windes—16.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Cormick of St. Louis city, McDaniel, McIntyre, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—13.

SICK—Messrs. Ballew, Dodson, Freed, Ham, Patterson of Linn and Tiernan—6.

House bill No. 638, entitled An act to appropriate money ; was called up.

Mr. Davis moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was agreed to.

Mr. Davis, offered the following amendment :

Add two new sections to read as follows :

SEC. 8. For contingent expenses of the General Assembly ten thousand dollars (\$10,000.)

SEC. 9. For pay of General Assembly, ten thousand dollars (\$10,000); which was read and agreed to.

Mr. Cox offered the following amendment:

Amend by adding a new section to be called section 10: Section 10. There is hereby appropriated the sum of \$687.50 for the pay of State Librarian out of any money in the treasury not otherwise appropriated; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Powell moved to reconsider the vote by which the House refused to order House bill No. 448, to engrossment and printing; which was not agreed to.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report :

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 131, entitled An act to amend sections 30 and 31 of chapter 40 of the General Statutes of Missouri, entitled of the incorporation of towns, election and power of trustees, the same being sections 30 and 31 of chapter 134 of Wagner's Missouri Statutes, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 131; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 515, entitled An act to amend section 10 of article 1 of an act entitled an act for the government of cities of the fourth class, approved May 15, 1877, beg leave to report that they have considered the same and recommend that it do pass; which was read.

House bill No. 515; was taken up, and, on motion, referred to the Joint Committee on Revision.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 584, entitled An act to appropriate money for the erection of a tombstone over the Hon. Thomas J. Howell, late Representative, and find the same truly enrolled; which was read.

House bill No. 584; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 32, memorializing Congress to repeal certain statutes and to modify existing laws relating to the removal of causes from the State courts to the circuit courts of the United States, and find the same truly and correctly enrolled; which was read.

House concurrent resolution No. 32 was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 511, entitled An act to preserve the purity of elections, and prevent official corruption, and find the same truly and correctly enrolled; which was read.

House bill No. 511 was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

The House resumed the consideration of Senate substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriation for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made.

Pending at the hour of adjournment on yesterday,

The question being on agreeing to the amendment offered by Mr. Powell,

Mr. Davis offered the following substitute for the amendment:

Strike out lines 14, 15, 16 and 17, and insert in lieu thereof the following: For printing catalogue of State University, one thousand three hundred and eighty-nine dollars and thirty-eight cents (\$1,389.38); for printing Agricultural reports in German, one thousand and twenty-one dollars and thirty-eight cents (\$1,021.38); for printing reports and documents ordered by the General Assembly, six hundred and forty-six dollars and sixty-three cents (\$646.63); for printing for Executive departments, one thousand three hundred and ninety-six dollars and seventy-six cents (\$1,396.76); for publishing decisions of the Supreme court, eight hundred and fifty-seven dollars and forty-two cents (\$857.42); which was read and agreed to.

Mr. Hynes offered the following amendment:

Amend by striking out lines 64 and 65; which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brown, Burford, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Creager, Dale, Diercks, Ewing, Gray, Greer, Hale, Harrison, Hynes, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mabrey, Maynard, Miles, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Powell, Powers, Price, Rawlings, Settles, Smith of Cedar, Talbot, Warren, Weygandt, Whitaker, Withers and Younger—59.

NOES—Messrs. Booth, Brewer, Bryan, Carleton, Carroll, Chilton, Cox, Craig, Crow, Crowther, Davis, Dawson, Dilley, Dougherty, Drum, Dryden, Ellis, Finks, Hayes, Hammons, Harrigan, Hubbard, Helm, Lackland, Louthan, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McIntyre, O'Malley, Pollock, Ragan, Riley, Saunders, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Wiley and Wisby—44.

ABSENT—Messrs. Bashaw, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Collins, Cowan of Holt, Farr, Foster, Gwynne,

Hall, Haynes, Harrington, Kendall, Kneisley, Lesueur, Mackey, Mudd of St. Louis, McGarry, Phelan, Tevis, Waggener and Windes—22.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—11.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

Mr. Ingram moved to reconsider the vote by which the House agreed to the amendment striking out the \$5,000 appropriation to the Rolla School of Mines.

Pending the consideration of which, the hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—120.

The House resumed the consideration of the motion of Mr. Ingram, to reconsider the vote by which the House agreed to the amendment striking out the \$5,000 appropriation to the Rolla School of Mines.

The question being upon agreeing to the motion to reconsider; the ayes and noes were demanded, and the motion was not agreed to by the following vote:

AYES—Messrs. Beckner, Booth, Bowman, Brady, Bryan, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cowan of Holt, Creager, Crow, Crowther, Dilley, Hayes, Harrington, Hynes, Ingram, Johnson, Kneisley, Lackland, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McGarry, McIntyre, Organ,

Palmer, Pepper, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of St. Louis city, Waggener, Weygandt, Windes and Wisby—47.

NOES—Messrs. Adams, Alldridge, Andrews, Berryman, Bohannon, Boulware, Brewer, Brown, Burford, Campbell of St. Louis city, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Dale, Diercks, Dougherty, Drum, Ellis, Ewing, Foster, Gray, Greer, Gwynne, Hale, Haynes, Harrison, Hubbard, Helm, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, McCormick of Washington, McElvain, McKill, McKinney, Patterson of Schuyler, Pehle, Powell, Settles, Spring, Swank, Talbot, Taylor, Turner, Warren, Whitaker, Wiley, Withers and Younger—62.

ABSENT—Messrs. Bashaw, Berry, Campbell of Atchison, Davis, Dawson, Farr, Finks, Hammons, Hall, Harrigan, Kendall, O'Malley, Pollard, Smith of Cedar and Tevis—15.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—12.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

Mr. Harrington offered the following amendment:

Amend by striking out lines 22 and 23; which was read and agreed to.

Mr. Harrison offered the following amendment:

Amend by striking out lines 30 and 31; which was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Boulware, Brown, Burford, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Christian, Craig, Creager, Crow, Dale, Diercks, Drum, Ewing, Gray, Greer, Hale, Harrison, Hynes, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mackey, Miles, McCormick of Washington, McElvain, McKill, McKinney, Organ, Palmer, Pehle, Pepper, Pollard, Powell, Price, Rawlings, Smith of Cedar, Warren, Whitaker, Windes, Withers and Younger—55.

NOES—Messrs. Bashaw, Berryman, Booth, Brady, Brewer, Bryan, Carleton, Carroll, Cock, Collins, Cowan of Holt, Cox, Crowther, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Finks, Foster, Hayes, Hammons, Haynes, Harrington, Hubbard, Helm, Kneisley, Lackland, Lesueur, Louthan, Mabrey, Mahn, Manistre, Moler, Morrison,

Mott, Mudd of Lincoln, McGarry, McIntyre, Phelan, Pollock, Powers, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Weygandt and Wisby—56.

ABSENT—Messrs. Bowman, Burrows, Campbell of Atchison, Campbell of St. Louis city, Gwynne, Hall, Harrigan, Kendall, Maynard, Mudd of St. Louis, O'Malley, Patterson of Schuyler, Swank and Wiley—14.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—11.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

Mr. Organ offered the following amendment:

Amend line 12, by striking out \$12,500 and inserting \$11,000; which was read and agreed to.

The bill as amended was then read the third time, and passed by the following vote:

AYES—Messrs. Bashaw, Berryman, Booth, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crowther, Davis, Dawson, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Hayes, Hale, Hammons, Haynes, Harrington, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Saunders, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Waggener, Wiley, Windes and Wisby—76.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Boulware, Bowman, Brown, Burford, Chenoweth, Cloud, Cooper, Cowan of Christian, Creager, Crow, Dale, Diercks, Gray, Greer, Harrison, Hynes, Ingram, Johnson, Knight, Miles, McKinney, Palmer, Pehle, Pepper, Powell, Rawlings, Smith of Cedar, Swank, Warren, Whitaker, Withers and Younger—38.

ABSENT—Messrs. Brady, Campbell of St. Louis city, Gwynne, Hall, Harrigan, Kendall, O'Malley, Patterson of Schuyler, Settles and Weygandt—10.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—12.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

The emergency clause was adopted by the following vote :

AYES—Messrs. Bashaw, Berry, Berryman, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Windes and Wisby—100.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Boulware, Brown, Burford, McKinney, Pehle, Pepper, Powell, Rawlings, Smith of Cedar, Whitaker, Withers and Younger—17.

ABSENT—Messrs. Campbell of St. Louis city, Gray, Gwynne, Hall, Kendall, O'Malley, Rawlings and Settles—7.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—11.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Conference on Senate substitute No. 10 for Senate bill No. 52, submitted the following report:

MR. SPEAKER: The Committee of Conference, to whom was referred the consideration of the disagreement between the House and the Senate, in regard to substitute No. 10 for Senate bill No. 52, being An act to revise and amend chapter 142 of the General Statutes, concerning garnishments, beg leave to report that they have met and conferred together on the subject, and that the joint committee recommend as a settlement of the disagreement between the two houses the following substitute in lieu of section 43 of said bill (and the amendment thereof adopted by the House), to-wit:

SECTION 43. All acts and parts of acts inconsistent with this act are hereby repealed.

The committee ask the adoption thereof; which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—108.

NOES—Messrs. Burford, Cowan of Christian and Ingram—3.

ABSENT—Messrs. Bohannon, Brady, Campbell of St. Louis city, Crowther, Gray, Gwynne, Hall, Harrigan, Kendall, Manistre, O'Malley, Settles and Younger—13.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—12.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

Leave of absence was granted to Mr. Saunders for seven days.

Mr. McIntyre, from the Committee of Conference on Senate substitute No. 26 for Senate bill No. 52, submitted the following report:

MR. SPEAKER: The undersigned, members of the Conference Committee, appointed by the Senate and the Speaker of the House respectively, to consider and adjust the differences between the Senate and the House concerning substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases, have agreed upon and respectfully recommend: First, that the Senate recede from Senate amendment to House amendment No. 1; second, that the Senate concur in House amendments

Nos. 1, 2 and 3 to said bill, which amendments are respectively as follows:

Amendment No. 1—Strike out section number one, and insert in lieu thereof the following: Section 1. A change of venue may be awarded in any civil suit to any court of record for any of the following causes: First, that the judge is interested or prejudiced, or is related to either party, or has been of counsel in the cause; second, that the opposite party has an undue influence over the mind of the judge; third, that the inhabitants of the county are prejudiced against the applicant; fourth, that the opposite party has an undue influence over the inhabitants of the county.

Amendment No. 2. Insert after section number one, as amended, a new section to be numbered two, and to read as follows: Section 2. If the judge is interested or related to either party, or shall have been of counsel in the cause, the court or judge shall award such change of venue without any application from either party, unless all the parties in the cause consent that such judge may sit on the trial thereof, or a special judge for the trial thereof be agreed upon by the parties, or elected in the manner provided by law.

Amendment No. 3. Amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, respectively, by changing the numbers thereof, respectively, from 2, 3, etc., to 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

All of which is respectfully submitted.

L. M. Lloyd, L. F. Cottey, E. C. Cabell, D. H. McIntyre, H. L. Lackland, John W. Booth—Conference Committee.

Which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Smith of St. Louis city, Spring, Swank, Talbot,

Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Windes, Wisby and Withers—106.

NOES—Messrs. Beckner, Bowman, Ingram, Pepper and Younger—5.

ABSENT—Messrs. Brady, Burford, Campbell of St. Louis city, Cowan of Christian, Gwynne, Hall, Kendall, Manistre, O'Malley, Settles, Smith of Cedar and Whitaker—12.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—13.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

Mr. McIntyre, from the Committee on Conference on Senate substitute for Senate bill No. 59, submitted the following report :

MR. SPEAKER: The undersigned, members of the Conference Committee, appointed by the President of the Senate and Speaker of the House, respectively, to consider and adjust the differences between the Senate and the House, concerning substitute for Senate bill No. 59, entitled An act entitled an act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud-horse liens, venders' liens, personal property, hotel and boarding-house keepers' liens, contractors, material men and laborers' liens on railroads and equitable liens and notices, have agreed upon and respectfully recommend the following amendments to said bill, as a full adjustment of the said differences between the Senate and House, to-wit :

Amendment No. 1—Amend by striking out section 51, and insert in lieu thereof the following: Section 51. All acts and parts of acts inconsistent with this act are hereby repealed.

Amendment No. 2—Amend the title of the bill by striking out the whole thereof, and insert in lieu thereof the following: Substitute for Senate bill No. 59, An act to revise and amend title forty-three of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, hotel and boarding-house keepers' liens, contractors, material men and laborers' liens on railroads, and equitable liens and notices.

Respectfully submitted,

D. A. DeArmond, W. I. Wallace, G. F. Ballingal, D. H. McIntyre, John D. Dryden, Wm. R. Anderson, B. F. McDaniel—Conference Committee.

Which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Louthan, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Waggener, Warren, Weygandt, Wiley, Windes, Wisby, Withers and Younger—106.

NOES—Mr. Beckner—1.

ABSENT—Messrs. Burford, Chenoweth, Cowan of Christian, Cowan of Holt, Dougherty, Gwynne, Hall, Hubbard, Kendall, Manistre, Maynard, O'Malley, Settles, Talbot, Turner and Whitaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Vancleve, Wells and Mr. Speaker—12.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—8.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 652, entitled An act commuting the time of imprisonment of persons confined in the county and city jails, under sentence therein, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills, to whom was referred House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Leave of absence was granted Mr. Taylor for three days, and Mr. Mudd of St. Louis, for three days.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER : Your Committee on Judiciary, to whom was referred House resolution No. 56, entitled In relation to changing mode of voting and the time of holding State elections, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Elections ; which was read.

House concurrent resolution No. 56 ; was taken up, and, on motion, referred to the Committee on Elections.

The special order, being the consideration of House bill No. 602, entitled An act regulating the interest of money ; was taken up.

Mr. Powell moved that the further consideration of the bill be postponed until Wednesday, April 30 ; which was agreed to.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report :

MR. SPEAKER : Your Committee on County Boundaries, to whom was referred substitute No. 4 for Senate bills Nos. 101 and 18, entitled An act to revise and amend chapter 38 of the General Statutes of the State of Missouri, concerning county treasuries, beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

Senate substitute No. 4 for Senate bills Nos. 101 and 18 ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Bashaw, Berry, Bohannon, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Greer, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Waggener, Warren, Weygandt, Wiley and Wisby—90.

NOES—Messrs. Bowman, Cooper, Ingram, Smith of Cedar, Whitaker and Windes—6.

ABSENT—Messrs. Alldridge, Andrews, Beckner, Berryman, Booth, Burford, Campbell of St. Louis city, Chenoweth, Cock, Creager, Farr, Gray, Gwynne, Hall, Harrigan, Harrington, Kendall, Knight, Lackland, Mabrey, Morrison, Mott, Pepper, Settles, Withers and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, Reynolds, Souder, Taylor, Vancleve, Wells and Mr. Speaker—14.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

On motion of Mr. Price, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Mr. Lesueur, Acting Speaker *pro tem.*, in the chair.

Substitute for House concurrent resolution No. 31, entitled Concurrent resolution of the House of Representatives and Senate of the 30th General Assembly of the State of Missouri, submitting an amendment to article 4 of the Constitution of the State of Missouri, to a vote of the qualified voters of the State, at the general election to be

holden on the Tuesday next after the first Monday in November, in the year A. D. 1880, providing for the removal of the seat of government of the State of Missouri, from the City of Jefferson, in Cole county, to the City of Sedalia, in Pettis county; was called up.

On motion, the further consideration of the resolution was postponed, and made the special order for Tuesday, April 29th.

Mr. Harrington moved to reconsider the vote by which House bill No. 638, was ordered to engrossment and printing.

On motion, the further consideration of the motion to reconsider was postponed until 10 o'clock to-morrow morning.

Mr. Gwynne was reported sick.

Leave of absence was granted Mr. Tevis for four days.

Mr. Hayes, from the Committee of Conference on Senate substitute No. 7 for Senate bill No. 52, submitted the following report:

MR. SPEAKER: Your Committee on Conference, to whom was referred substitute No. 7 for Senate bill No. 52, beg leave to report that they have considered the same, and recommend that the Senate concur in the House amendments thereto, which are as follows:

Amendment No. 1—Amend section 6 so as to read as follows:

SECTION 6. If any person shall practice law in any court of record without being licensed, sworn and enrolled, he shall be deemed guilty of a criminal contempt of court, and punished as in other cases of criminal contempt.

Second Amendment—Amend section 16 by striking out all of said section after the word, "by," in the third line of the printed bill, and insert in lieu thereof, the words, "the court." Nat. M. Gwynne, Chas. S. Bryan, J. V. Hayes, T. H. Parrish, N. C. Hudson, R. Lakenan.

Which was read.

The question being upon the adoption of the report, the roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Hayes, Hall, Hale, Hammons, Haynes, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Smith

of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Weygandt, Wiley, Windes and Wisby—93.

NOES—Messrs. Alldridge, Andrews, Beckner, Harrison, Ingram, McKinney, Whitaker and Withers—8.

ABSENT—Messrs. Bohannon, Brady, Burford, Campbell of St. Louis city, Chilton, Gray, Gwynne, Harrigan, Harrington, Johnson, Kendall, Knight, Pepper, Powell, Settles, Swank, Tevis, Waggener and Younger—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Vancleve, Wells and Mr. Speaker—16.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Ham, Patterson of Linn and Tiernan—7.

House bill No. 662, entitled An act to provide that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge of clerk of election, in cities or towns of this State; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Rawlings, Riley, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Weygandt, Wiley, Windes, Wisby and Withers—98.

ABSENT—Messrs. Bohannon, Brady, Bryan, Burford, Chilton, Diercks, Dilley, Gray, Harrigan, Johnson, Kendall, Lackland, Lockhart, Ragan, Settles, Waggener, Whitaker and Younger—18.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Swank, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—9.

The title of the bill was read and agreed to.

Mr. Finks moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis moved another Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments to Senate substitute for Senate bills Nos. 60 and 204; which was agreed to.

The Speaker *pro tem.* appointed as said committee on the part of the House, Messrs. Lackland, Booth and Dryden.

House bill No. 583, entitled An act to amend an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, by adding a new section thereto to be known as section 23; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Chenoweth, Chitwood, Coleman, Cook, Cox, Craig, Creager, Dale, Dawson, Diercks, Dougherty, Ellis, Ewing, Farr, Hale, Hammons, Harrison, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Mackey, Mahn, Moler, Morrison, McCormick of Washington, McElvain, McKinney, Organ, Rawlings, Riley, Smith of Cedar, Swank, Turner, Warren, Whitaker, Wiley, Windes, Wisby and Withers—53.

NOES—Messrs. Berryman, Booth, Campbell of Atchison, Carleton, Cock, Cloud, Collins, Cooper, Cowan of Christian, Cowan of Holt, Crow, Crowther, Drum, Finks, Foster, Greer, Hayes, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Larimore, Mabrey, Manistre, Maynard, Mudd of Lincoln, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Smith of St. Louis city, Spring and Weygandt—43.

ABSENT—Messrs. Bohannon, Brady, Carroll, Chilton, Davis, Dille, Gray, Hall, Harrigan, Kendall, Knight, Lackland, Louthan, Miles, Mott, McGarry, Ragan, Settles, Talbot, Waggener and Younger—21.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—17.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—9.

Mr. Berryman moved to reconsider the vote by which the bill failed to pass; which was agreed to.

The question being upon the passage of the bill; the roll was called, and the bill again failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carroll, Chenoweth, Chitwood, Coleman, Cook, Craig, Dale, Dawson, Diercks, Dougherty, Ellis, Ewing, Hale, Hammons, Harrison, Johnson, Kneisley, Knight, Lesueur, Lockhart, Mackey, Mahn, Morrison, McCormick of Washington, McElvain, McKinney, O'Malley, Organ, Ragan, Rawlings, Riley, Smith of Cedar, Swank, Warren, Whitaker, Wiley, Windes, Wisby and Withers—52.

NOES—Messrs. Berryman, Booth, Campbell of Atchison, Carleton, Cloud, Cock, Collins, Cooper, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Drum, Dryden, Finks, Foster, Greer, Hayes, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Lackland, Larimore, Louthan, Lynn, Mabrey, Manistre, Maynard, Mudd of Lincoln, McKill, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Spring, Turner, Waggener and Weygandt—48.

ABSENT—Messrs. Bohannon, Campbell of St. Louis city, Chilton, Cox, Davis, Dilley, Farr, Gray, Hall, Harrigan, Kendall, Miles, Moler, Mott, McGarry, Settles, Smith of St. Louis city, Talbot and Younger—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—16.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—8.

House bill No. 665, entitled An act allowing ex-county collectors and their attorneys one-half of the commissions on judgments obtained in suits on back taxes by them; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Berryman, Booth, Boulware, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of

Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Smith of Cedar, Spring, Talbot, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—93.

NOES—Messrs. Bowman, Brown, Chitwood, Cloud, Dawson, Greer, Hayes, Knight, Pollard and Swank—10.

ABSENT—Messrs. Bashaw, Bohannon, Campbell of St. Louis city, Chilton, Cox, Davis, Farr, Gray, Hall, Hammons, Harrigan, Kendall, Miles, Settles, Smith of St. Louis city and Younger—16.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—16.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—8.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 631, entitled An act to prevent county courts from contracting any indebtedness, in any one year, in excess of the revenues of said year; was called up, read the third time, and failed to pass, by the following vote :

AYES—Messrs. Adams, Alldridge, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Brewer, Brown, Bryan, Burford, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Creager, Crow, Crowther, Dale, Diercks, Dilley, Drum, Ellis, Finks, Greer, Hayes, Hale, Hammons, Harrison, Hynes, Ingram, Kneisley, Knight, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Mudd of Lincoln, McCormick of Washington, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Swank, Talbot, Warren, Weygandt, Whitaker, Wiley, Wisby and Withers—68.

NOES—Messrs. Bowman, Campbell of Atchison, Carleton, Cloud, Cooper, Cowan of Christian, Craig, Dawson, Ewing, Foster, Haynes, Harrington, Helm, Lackland, Lockhart, Mabrey, Moler, Mott, McElvain, McGarry, McKill, Turner, Waggener and Windes—24.

ABSENT—Messrs. Andrews, Bohannon, Brady, Campbell of St. Louis city, Carroll, Chilton, Cox, Davis, Dougherty, Farr, Gray, Hall, Harrigan, Hubbard, Johnson, Kendall, Manistre, Maynard, Miles, Morrison, Pepper, Settles, Smith of Cedar, Smith of St. Louis city, Spring and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—17.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—8.

On motion of Mr. Pollard, the House adjourned until to-morrow morning at 9 o'clock.

NINETIETH DAY—SATURDAY, April 26, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Leave of absence was granted Mr. Chilton for three days, on account of sickness.

Mr. Warren called up the following resolution offered by him on Wednesday, April 23:

Resolved, That 8½ o'clock be fixed as the regular hour of meeting for this House during the remainder of this session; which was read and not agreed to.

Mr. Cowan presented a petition from the temperance union of Christian county, praying the Legislature to enact such laws as will prevent the sale of intoxicating liquors in the present indiscriminate manner; which was read, and, on motion, referred to the Committee on Criminal Jurisprudence.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 272, entitled An act for the improvement of the capitol building, State armory and Supreme Court building, and to appropriate money therefor, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Senate bill No. 272; was taken up, and the House refused to order the bill to a third reading.

Mr. Booth, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted; which was read.

Senate substitute for Senate bill No. 231; was taken up, with the following amendments, recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 3 of article 1, by striking out the word “above,” in the 12th line of the printed bill, and insert in lieu thereof, the word “hereinafter”; which was read and agreed to.

Amendment No. 2—Amend section 22 of article 1, by inserting next after the word “thereof,” in the 14th line of said section, as per printed bill, the words “or for other good cause;” which was read and agreed to.

Amendment No. 3—Amend section 35 of article 1, by inserting the word “first” next after the word “case,” in the 11th line of said section, as per printed bill, and by inserting next after the word “curator,” in the 11th line of said section, as per printed bill, the words “to enter into good and sufficient bonds,” and by adding to said section the words, “if the court shall be of opinion that such bond is necessary;” which was read and agreed to.

Amendment No. 4—Amend section 52 of article 1, so as to read as follows:

SECTION 52. Guardians and curators shall make final settlement of their guardianship or curatorship upon cessation of their authority, whether by revocation, resignation, the majority of their wards, or the marriage of female wards. And for the purpose of such settlement, such guardian or curator, shall make a just and true exhibit of the account between himself and his ward, and file the same in the court having jurisdiction of his accounts as such guardian, and cause a copy thereof, together with a notice in writing, stating the day when and the court in which he will make such settlement, to be delivered to his ward, or in case of the marriage of a female ward, to the ward and her husband; or in case of revocation or resignation, to the succeeding guardian or curator, at least three months next before the

first day of the term of the court at which such settlement, according to the terms of such notice, is to be made, and at the time specified in such notice ; the court upon satisfactory proof of such delivery of such copy of exhibit and notice, shall proceed to examine the accounts of such guardian or curator, correct all errors therein, if any there be, and make a final settlement with such guardian or curator; or the court may for any good cause continue the matter of such settlement, and proceed therein at any time agreed upon by the parties or fixed by the court ; which was read and agreed to.

Amendment No. 5—Amend section 5S of article 1, by inserting the word “final,” next after the word “any,” in line one of said section, as per printed bill ; which was read and agreed to.

Amendment No. 6—Amend section 6 of article 2, by striking out the word “county,” in the sixth line of said section, as per printed bill, and insert in lieu thereof the word “probate” ; which was read and agreed to.

Amendment No. 7—Amend section 13 of article 2, by striking out the word “conduct,” in the 5th line of printed bill, and inserting in lieu thereof the word “contract” ; which was read and agreed to.

The bill as amended was then read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Bashaw, Berry, Berryman, Booth, Boulware, Bowman, Brown, Bryan, Carleton, Carroll, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Hynes, Helm, Johnson, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Warren, Weygandt, Wiley, Wisby, Withers and Younger—92.

NOES—Messrs. Knight and Powell—2.

ABSENT—Messrs. Andrews, Beckner, Bohannon, Brady, Brewer, Burford, Campbell of Atchison, Chenoweth, Dilley, Foster, Harrigan, Harrington, Ingram, Kendall, Kneisley, O'Malley, Pepper, Pollock, Smith of Cedar, Whitaker and Windes—21.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McCormick of St. Louis city,

McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Van-cleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tiernan—10.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Larimore was reported sick.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 409, entitled An act to authorize the issue of currency bonds in renewal of existing bonds of this State, which cannot be paid at maturity out of the sinking fund, or other resources, and to declare certain bonds matured and subject to redemption, beg leave to report that they have considered the same, and report the accompanying substitute without recommendation; which was read.

House bill No. 409; was taken up, with substitute recommended by the Committee on Ways and Means. The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

The hour of 10 o'clock having arrived, the roll was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Lesueur, Lockhaft, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—106.

Mr. Harrington called up his motion to reconsider the vote by which House bill No. 638, entitled An act to appropriate money, was ordered to engrossment and printing.

The question being upon agreeing to the motion to reconsider, the ayes and noes were demanded, and the motion to reconsider was not agreed to by the following vote:

AYES—Messrs. Adams, Boulware, Bowman, Bryan, Burford, Carleton, Cloud, Cooper, Cowan of Christian, Craig, Creager, Crowther, Dale, Diercks, Ellis, Ewing, Harrington, Harrison, Hubbard, Ingram, Johnson, Lockhart, Mackey, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McGarry, McKinney, Pehle, Pepper, Powell, Riley, Smith of Cedar, Spring, Talbot, Warren, Whitaker, Withers and Younger—41.

NOES—Messrs. Alldridge, Bashaw, Berry, Berryman, Booth, Brewer, Brown, Campbell of St. Louis city, Carroll, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Crow, Davis, Dawson, Dilley, Dougherty, Drum, Farr, Finks, Greer, Hayes, Hale, Haynes, Hynes, Helm, Kneisley, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mahn, Miles, McCormick of Washington, McElvain, McKill, Organ, Palmer, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Swank, Turner, Waggener, Weygandt, Wiley and Wisby—55.

ABSENT—Messrs. Andrews, Beckner, Bohannon, Brady, Campbell of Atchison, Chenoweth, Foster, Gray, Hall, Hammons, Harrigan, Kendall, Knight, Maynard, O'Malley, Patterson of Schuyler, Pollock, Settles, Smith of St. Louis city and Windes—20.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tiernan—9.

Mr. Powell moved to reconsider the vote by which House joint and concurrent resolution No. 31 was ordered to engrossment and printing, and to have his motion entered on the journal.

Mr. Harrington, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 693, entitled An act to raise State revenue, beg leave to report that they have considered the same and report it back without recommendation; which was read.

House bill No. 693; was taken up, and the House refused to order the bill to engrossment and printing.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thomas B. English, deceased, late judge of the

10th judicial circuit of Missouri, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 504, entitled An act in relation to druggists, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 487, entitled An act to repeal an act entitled an act to prevent the destruction of fish, approved April 17, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 660, entitled An act to provide for obtaining certain statistical information and the publication of the same, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 701, entitled An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 613, entitled An act declaring certain State bonds due and payable, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 684, entitled An act fixing the rate of interest at not more than six per cent. upon loans secured by real estate, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Senate bill No. 320, entitled An act in relation to the title to certain school lands in township 45 north, range 7, east of the 5th principal meridian; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 361, entitled An act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Militia.

House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith; was called up.

Mr. Louthan moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was agreed to.

On motion, the bill was recommitted to the Committee on Criminal Jurisprudence.

Mr. Bashaw was reported sick.

House bill No. 679, entitled An act to prevent fraud, and protect the public health; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Gray, Greer, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Warren, Weygandt, Whitaker, Wisby, Withers and Younger—92.

NOES—Mr. Hayes—1.

ABSENT—Messrs. Bohannon, Brady, Campbell of Atchison, Carroll, Cowan of Christian, Cowan of Holt, Davis, Farr, Finks, Foster,

Haynes, Harrigan, Hynes, Johnson, Kendall, Maynard, McKinney, O'Malley, Pollock, Wiley and Windes—21.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Bashaw, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tiernan—11.

The title of the bill was read and agreed to.

Mr. Alldridge moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Pemberton:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the use of the State fund; also,

Substitute for Senate bill No. 73, entitled An act to revise and amend chapters 176 to 186 inclusive, regulating the jurisdiction and procedure before justices of the peace in civil cases; also,

Substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor and proceedings thereon, in which the concurrence of the House is respectfully requested; also,

That the Senate has taken up and passed, House bill No. 576, entitled An act to prohibit the discharge of fire arms in the immediate vicinity of any court house, church or building used for school or college purposes; also,

House bill No. 391, entitled An act in relation to pawn brokers; also,

House bill No. 225, entitled An act for the relief of John A. S. Tutt, formerly judge of the 6th judicial circuit, and to appropriate money therefor; also,

Substitute for House bills Nos. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof; which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE. }
JEFFERSON CITY, Mo., April 26, 1879. }

HON. A. A. LESUEUR, Acting Speaker of the House of Representatives:

SIR: I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to preserve the purity of elections, and prevent official corruption.

An act to provide for the formation of drainage districts to reclaim and drain swamp and overflowed lands in this State.

Concurrent resolution memorializing Congress to repeal certain statutes, and to modify existing laws relating to the removal of causes from the State courts to the circuit court of the United States.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Senate bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform the same to the changes wrought by section 23, article 9 of the Constitution, and to add an additional section thereto, to be known as section 14; was called up.

Mr. McGarry offered the following amendment:

Amend section 1 by striking out all after the word "qualified" in line 25 of said section; which was agreed to.

Mr. Wisby moved to reconsider the vote by which the amendment was agreed to; which was not agreed to.

On motion, the further consideration of the bill was postponed until 10 o'clock, A. M., Wednesday, April 30.

The following message was received from the Senate, through its Second Assistant Secretary, Mr. Forman:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee, appointed to consider substitute for Senate bill No. 59, entitled An act entitled an act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics' liens, liens for keeping horses and other animals, stud horse liens, vendors' liens, personal property, hotel and boarding-house keepers' liens, contractors, material, men and laborers' liens, railroad and equitable liens and notices; also,

That the Senate has adopted the report of the Conference Committee, to consider substitute 26 for Senate bill No. 52, entitled An act to revise and amend chapter one hundred and fifty-eight of the

General Statutes of the State of Missouri, concerning change of venue in civil cases.

The Senate has appointed T. A. Forman, Second Assistant Secretary of the Senate, with like authority to sign all official papers as the Secretary and First Assistant Secretary; which was read.

House bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Berry, Berryman, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Helm, Ingram, Johnson, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Weygandt, Whitaker, Wiley, Windes and Wisby—92.

NOES—Messrs. Beckner, Bowman, Cloud, Cooper, Craig, Hubbard, Knight, Powell, Warren, Withers and Younger—11.

ABSENT—Messrs. Bohannon, Brady, Cowan of Christian, Farr, Foster, Harrigan, Hynes, Kendall, Kneisley, Maynard, Mudd of Lincoln and O'Malley—12.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vaneleve, Wells and Mr. Speaker—17.

SICK—Messrs. Ballew, Bashaw, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tierman—11.

The title of the bill was read and agreed to.

Mr. Harrington moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Moler, the House took a recess until 2½ o'clock,
P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Lesueur, acting Speaker *pro tem.*, in the chair.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and refused to concur in House amendments to substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads, organized under the general laws of this State, and request the House to recede therefrom.

Also, That in compliance with the request of the House, the President of the Senate has appointed as a Committee of Conference to further consider substitute for Senate bills Nos. 60 and 204, Senators Edwards of Lafayette, Major and D'Armond, to act with Messrs. Lackland, Booth and Dryden; which was read.

On motion of Mr. Pollock the roll of the House was called, and the following members responded to their names :

AYES—Messrs. Adams, Beckner, Booth, Boulware, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Weygandt, Whitaker, Windes, Wisby and Withers—85.

ABSENT—Messrs. Alldridge, Andrews, Berry, Berryman, Bohannon, Bowman, Brady, Brown, Burford, Cowan of Christian, Crowther, Dale, Davis, Dawson, Farr, Foster, Harrigan, Hynes, Johnson, Kendall, Louthan, Maynard, O'Malley, Pollock, Swank, Waggener, Warren, Wiley and Younger—29.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Bashaw, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tinnan—11.

Leave of absence was granted to Mr. Farr for three days.

Senate bill No 251, entitled An act in relation to courts of record in the city of St. Louis, and imposing additional duties upon the sheriff in relation thereto; was taken up, read at length by the Clerk, when

Mr. Pepper interposed objections to the signing of the bill, claiming that sections 53 and 54 of article 4 of the Constitution of the State were not complied with, and violated in its passage.

The question being, shall the objection interposed by the gentleman from Pike, Mr. Pepper, be sustained by the House,

The roll was called, and the objection was not sustained by the following vote :

AYES—Messrs. Adams, Andrews, Beckner, Berry, Cloud, Cooper, Gray, Harrington, Harrison, Ingram, Johnson, Lockhart, Manistre, Morrison, Mott, McCormick of Washington, McKinney, Pepper, Powell, Smith of Cedar, Talbot, Whitaker, Withers and Younger—24.

NOES—Messrs. Berryman, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Greer, Hayes, Hall, Hale, Hammons, Haynes, Hubbard, Helm, Kneisley, Knight, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Turner, Warren, Weygandt, Windes and Wisby—70.

ABSENT—Messrs. Alldridge, Bohannon, Bowman, Brady, Burford, Cowan of Christian, Craig, Dale, Davis, Farr, Foster, Harrigan, Hynes, Kendall, Maynard, O'Malley, Pehle, Swank, Waggener and Wiley—20.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—18.

SICK—Messrs. Ballew, Bashaw, Campbell of St. Louis city, Dade, Dodson, Freed, Gwynne, Ham, Larimore, Patterson of Linn and Tinnan—11.

Mr. Pepper thereupon submitted the following written protest against the signing of the bill :

MR. SPEAKER : The undersigned members of the House of Representatives, hereby solemnly protest against the signing of Senate bill

No. 251, because in its passage, the following clauses of article 4 of the Constitution of Missouri, were violated to-wit:

That clause of section 53 of said article, which inhibits the passage, by the General Assembly, of any local or special law regulating the affairs of counties, cities, townships, wards, or school districts; also, that clause of the same section, which inhibits the passage, by the General Assembly, of any local or special law incorporating cities, towns, or villages, or changing their charters; also, that clause of said section which inhibits the passage of acts creating offices, or prescribing the powers and duties of officers in counties, cities, townships, election or school districts.

Also, section 54 of said article. This being a local or special bill, and no evidence having been exhibited in the House, or recited in the act that notice has been given of the intention to apply for the passage of this act, as required by said section 54. H. J. Maynard, member from Lawrence county; M. V. Ingram, member from Greene county; Benjamin Lockhart, member from Grundy county; W. C. Alldridge, member from Moniteau county; W. C. Adams, member from 1st district Jackson county; S. L. Smith, member from Cedar county; J. V. Withers, member from Knox county; Enoch Pepper, member from Pike county; Henry Manistre, member from 1st district, St. Louis city; F. M. Harrington, member from Adair county; W. J. Morrison, member from Dade county.

STATE OF MISSOURI, }
County of Cole. } ss.

Personally appeared before me, this 25th day of April, 1879, the above named persons, and made oath that the matter and things contained in the foregoing protest, are true to their best knowledge and belief.

[L. s.]

HENRY C. NITCHY,

Notary Public, Cole county, Mo.

Commissioned December 23d, 1878; qualified December 24th, 1878; term expires, December 33d, 1882.

The bill was then signed by the acting Speaker *pro tem*.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases; was taken up, and read at length by the Clerk, when Mr. Lackland interposed objections to the signing of the bill, it not being the same in substance and form as when considered and passed by the House, on account of the following omission in section 1 of the enrolled bill: "Or is related to either party, or has been of counsel in the cause."

The question being, shall the objection interposed by the gentleman from St. Charles, Mr. Lackland, be sustained by the House; the roll was called, and the objection was sustained by the following vote:

AYES—Messrs. Adams, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Piercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Weygandt, Whitaker, Wisby and Withers—88.

NOES—Messrs. Beckner and Younger—2.

ABSENT—Messrs. Alldridge, Andrews, Bashaw, Bonham, Brady, Campbell of Atchison, Campbell of St. Louis city, Carroll, Cowan of Christian, Davis, Foster, Harrigan, Hynes, Ingram, Kendall, Larimore, Louthan, Manistre, O'Malley, Pollock, Powell, Waggener, Wiley and Windes—24.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bohannon, Burrows, Chilton, Dryden, Farr, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—19.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Maynard, Patterson of Linn and Tiernan—10.

Senate bill No. 280, entitled An act to amend section 1 of an act entitled an act to define and conform the laws of the State to section 23, article 9 of the Constitution, approved May 2nd, 1877; was taken up, and read at length by the Clerk, when Mr. Pepper interposed objections to the signing of the bill, claiming that sections 53 and 54 of article 4 of the Constitution were not complied with, and violated in its passage.

The question being, shall the objections interposed by the gentleman from Pike, Mr. Pepper, be sustained by the House; the roll was called, and the objection was not sustained by the following vote:

AYES—Messrs. Adams, Andrews, Beckner, Berry, Brewer, Burford, Cloud, Cooper, Gray, Harrington, Harrison, Ingram, Knight, Lockhart, Morrison, Mott, McKinney, Pepper, Powell, Smith of Cedar, Whitaker and Withers—22.

NOES—Messrs. Berryman, Booth, Boulware, Bowman, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Greer, Hayes, Hall, Hale, Hammons, Hubbard, Johnson, Kneisley, Lackland, Lesueur, Lynn, Mabrey, Mackey, Mahn, Moler, Mudd of Lincoln, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Weygandt and Wisby—68.

ABSENT—Messrs. Alldridge, Bashaw, Bohannon, Brady, Campbell of St. Louis city, Cowan of Christian, Davis, Farr, Foster, Haynes, Harrigan, Hynes, Helm, Kendall, Larimore, Louthan, Manistre, Maynard, Miles, McCormick of Washington, McCormick of St. Louis city, O'Malley, Pehle, Pollard, Riley, Waggener, Wiley, Windes and Younger—29.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Dryden, Mudd of St. Louis, McDaniel, McIntyre, Souder, Taylor, Tevis, Vancleve, Wells and Mr. Speaker—15.

SICK—Messrs. Ballew, Dade, Dodson, Freed, Gwynne, Ham, Patterson of Linn and Tiernan—8.

Mr. Pepper thereupon submitted the following written protest against the signing of the bill:

MR. SPEAKER: The undersigned members of the House of Representatives hereby solemnly protest against the signing of Senate bill No. 280, because in its passage, the following clauses of article four of the Constitution of Missouri were violated, to-wit:

That clause of section 53 of said article, which inhibits the passage by the General Assembly, of any local or special law regulating the affairs of counties, cities, townships, wards or school districts. Also that clause of the same section, which inhibits the passage by the General Assembly, of any local or special law incorporating cities, towns or villages, or changing their charters. Also, that clause of said section, which inhibits the passage of acts creating offices in counties, cities, townships, election or school districts.

Also, section 54 of said article, this being a local or special bill, and no evidence having been exhibited in the House, or recited in the act, that notice has been given of the intention to apply for the passage of this act, as required by section 54. H. J. Maynard, Member for Lawrence county; M. V. Ingram, Member for Greene county; Benj. Lockhart, Member for Grundy county; W. C. Alldridge, Member for Moniteau county; W. C. Adams, Member for 1st District, Jackson county; J. V. Withers, Member for Knox county; Enoch Pepper,

Member for Pike county; S. L. Smith, Member for Cedar county; Henry Manistre, Member for 1st District, St. Louis county; F. M. Harrington, Member for Adair county; W. J. Morrison, Member for Dade county.

STATE OF MISSOURI, }
County of Cole. } ss.

Personally appeared before me, this 25th day of April, 1879, the above named persons, and made oath that the matters and things contained in the foregoing protest are true, to the best of their knowledge and belief.

[L. S.]

HENRY C. NITCHY,
Notary Public, Cole county, Mo.

Commissioned, December 23, 1878; qualified, December 24, 1878; term expires, December 23, 1882.

The bill was then signed by the acting Speaker *pro tem*.

Senate bill No. 281, entitled An act to repeal an act entitled an act relating to the office of marshal of the city of St. Louis, approved May 2, 1877; was taken up, read at length by the Clerk, and signed by the acting Speaker *pro tem*., without objections.

Senate bill No. 282, entitled An act to repeal an act in relation to final process from courts of record, in the city of St. Louis, and the duty of certain officers relative thereto, approved May 2, 1877; was taken up, read at length by the Clerk, and signed by the acting Speaker *pro tem*., without objections.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was recommitted House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendments; which was read.

House bill No. 484; was taken up, with the following amendments recommended by the Committee on Criminal Jurisprudence:

Amendment No. 1.—After the word “inspector,” in the first line of the second section of printed bill, insert the following words, to-wit: “To inspect all whisky, wines or other alcoholic liquors, by whatever name known, which may be manufactured or offered for sale within the city or town for which he may be appointed, and which have not been inspected by some other inspector of this State, and;” which was read and agreed to.

Amendment No. 2—Strike out all after the words “condemned for impurity,” in the 11th line of second section, to the word “and,” in the 14th line of the same section; which was read and agreed to.

Amendment No. 3—After the word “and,” in the 14th line of second section, insert the word “he;” which was read and agreed to.

Amendment No. 4—After the the word “compounded,” in the fourth line of the sixth section, insert the words “or who shall offer for sale any whisky, wines or other alcoholic liquors, without the same has been inspected by some inspector, appointed under the provisions of this act, and branded as required by third section thereof;” which was read and agreed to.

Amendment No. 5—Strike out the word “officer,” in the second line of first section, and insert in lieu thereof, the words “chief officer;” which was read and agreed to.

Amendment No. 6—After the word “dealer,” in the 8th line of the third section, insert the words “before the affixing of the official brand of the inspector;” which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Leave of absence was granted Mr. Cowan of Christian for seven days.

House bill No. 380, entitled An act to protect owners of live stock; was called up, and, on motion of Mr. Moler, was laid on the table.

Senate substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county seats; was called up.

Mr. Cowan of Holt moved that the House recede from House Amendment No. 2, in which the Senate refused to concur.

Pending the consideration of which,

On motion of Mr. Louthan, the House adjourned until Monday morning, at nine o'clock.

NINETY-FIRST DAY—MONDAY, April 28, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Price, the further reading was dispensed with.

Mr. Foster offered the following resolution :

WHEREAS, By resolution of this House the services of the clerk of the St. Louis Delegation has been dispensed with ; and whereas, in addition to acting as clerk of said Delegation, he has been doing the clerical labor for the Committees on Justices of the Peace and Militia, and there being a large number of bills yet undisposed of before these several committees ; be it

Resolved, That the clerk of the St. Louis Delegation be retained until the clerical labor of these committees can be disposed of ; which was read and not adopted.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Substitute 29 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions ; also,

That the Senate has taken up, amended and passed House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of State and county revenue, approved May 2, 1877, and have adopted the emergency clause thereto ; also,

That there has been introduced into and passed the Senate, Senate bill No. 285, entitled An act to provide for the filling of vancancies in State and county offices, and have adopted the emergency clause thereto, in which the concurrence of the House is respectfully requested ; also,

That the Senate has taken up and passed, substitute for House bills Nos. 407 and 419, entitled An act to prevent swine from running at large, etc ; which was read.

Leave of absence was granted the Committee on Ways and Means, until 10 o'clock.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 576, entitled An act to prohibit the discharge of fire arms in the immediate vicinity of any court house, church or building used for school or college purposes, and find the same truly and correctly enrolled; which was read.

House bill No. 576; was taken up, read at length by the clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 391, entitled An act in relation to pawn brokers, and find the same truly and correctly enrolled; which was read.

House bill No. 391; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 225, entitled An act for the relief of Judge John A. S. Tutt, formerly judge of the sixth judicial circuit, and to appropriate money therefor, and find the same truly and correctly enrolled; which was read.

House bill No. 225 was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Dale presented a remonstrance from citizens of Morgan county, protesting against the passage of a law appointing a commissioner to select school books for the schools of this State; which was read, and, on motion, referred to the Committee on Education.

Mr. Mott presented petitions from citizens of St. Louis county, praying the Legislature to so amend the law as to permit sales of real estate in cities of one hundred thousand inhabitants or over, to be made at the door of the courthouse as well as at the real estate exchange; which were read, and, on motion, referred to the Committee on Judiciary.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report :

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 51, proposing an amendment of section 12 of article 6 of the Constitution of this State, the end of which amendment is the enlargement of the territorial limits of the St. Louis court of appeals, beg leave to report that they have considered the same, and recommend that it be not adopted; which was read.

House concurrent resolution No. 51 was taken up, and the House refused to order to engrossment and printing.

Leave of absence was granted Mr. Hynes for ten days.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred House bill No. 643, entitled An act to regulate fees, beg leave to report that they have considered the same, and return the same without recommendation; which was read.

House bill No. 643 was taken up, and, on motion, ordered engrossed and printed.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts and ex-officio recorders, beg leave to report that they have considered the same, and return the same without recommendation; which was read.

House bill No. 8; was taken up, and on motion, ordered engrossed and printed.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters of this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and

to repeal certain acts and parts of acts, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct ; which was read.

Mr. McIntyre moved to reconsider the vote by which House bill No. 643, was ordered to engrossment and printing ; which was agreed to.

Mr. McIntyre moved to reconsider the vote by which House bill No. 8, was ordered to engrossment and printing ; which was agreed to.

Mr. Cowan of Holt offered the following resolution :

WHEREAS, The Committee on Revision has reported to this House that certain differences exist between House and Senate bills relating to the subject of fees ; and

WHEREAS, It is important that these differences should be adjusted ; therefore, be it

Resolved, That the Speaker appoint a special committee to consider House bills No. 8 and No. 643, and confer with the Senate Committee appointed to consider Senate fee bills.

Resolved, That the Senate be requested to appoint a committee on the part of the Senate, to act with the above mentioned House committees ; which was read and adopted.

The Speaker appointed as said committee on the part of the House, Messrs. Cowan of Holt, Cook, Talbot and Withers.

Senate substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State ; was taken up with House amendments Nos. 1 and 2 thereto, in which the Senate refused to concur.

The question being upon receding from the House amendments, the House refused to recede therefrom.

Mr. McIntyre moved that a Committee of Conference, consisting of three members, be appointed by the Speaker to confer with a like number, to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 1 and 2, to Senate bill No. 162 ; which was agreed to.

The Speaker appointed as said Committee on the part of the House, Messrs. Lackland, Campbell of Atchison and Pepper.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names :

Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner Berry, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum,

Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—121.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bills Nos. 86 and 207, entitled An act to revise and amend title four, chapter 10 of the General Statutes of the State of Missouri, concerning the Treasury department, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute for Senate bills Nos. 86 and 207; was taken up with the amendments recommended by the Committee on Ways and Means :

Amendment No. 1—Strike out the words "before him" in lines 18 and 19 of section 4 of printed bill, and the word "or" in line 19 of the same section; which was read and agreed to.

Amendment No. 2—Strike out the words "in unincumbered real estate within the State of Missouri," in lines 21 and 22 of section 4 of printed bill; which was read and agreed to.

Amendment No. 3—Insert the words "or State Auditor" after the word "Treasurer," in line 1 of section 5 of printed bill; which was read and agreed to.

Amendment No. 4—Strike out the word "he" and insert the words "such appointee," in line 6 of section 9 of printed bill; which was read and agreed to.

Amendment No. 5—Add to section 10 of printed bill, the following: "Or until a new bond is given and approved by the Governor, as in this act provided;" which was read and agreed to.

Amendment No. 6—Insert after the word "Governor" in line 9 of section 14 of printed bill, the words "under oath," and insert after the word "writing" in line 10, of the same section, the words "under oath;" which was read and agreed to.

Amendment No. 7—Strike out in lines 4 and 5 of section 35 of printed bill the words “and the amount of money loaned on which taxes are paid;” which was read and agreed to.

Amendment No. 8—Strike out the words “or coupon” in line 2 of section 36 of printed bill; which was read and agreed to.

Amendment No. 9—Strike out the word “or” in line 2 of section 37 of printed bill, and insert the word “and;” also, insert after the word “Governor” in line 9, of same section, the words “under oath,” and after the word “writing” in line 10 of same section, the words “under oath;” which was read and agreed to.

Amendment No. 10—Strike out in line 8 of section 41 of printed bill, the words “on a check or order on;” which was read and agreed to.

Amendment No. 11—Strike out in line 2 of section 42 of printed bill, the word “fifth,” and insert the word “tenth;” also, strike out the 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th lines of section 43, and insert the following: “And upon proof of any such offense, said officer shall forfeit his office, and the Attorney-General shall take immediate steps, under the direction of the Governor, to have said officer removed by a *quo warranto* proceeding in the Supreme Court;” which was read and agreed to.

Amendment No. 12—Insert in line 3 of section 50 of printed bill, the word “the” before the word “State;” which was read and agreed to.

Amendment No. 13—Strike out sections 69, 70 and 71; which was read and agreed to.

Amendment No. 14—Strike out section 73 of printed bill; which was read and agreed to.

Amendment No. 15—Strike out the word “paid” in line 7 of section 76 of printed bill, and insert the words “provided for;” which was read and agreed to.

Amendment No. 16—Strike out section 85 of printed bill; which was read and agreed to.

Amendment No. 17—Strike out the words “fund commissioners” in line 1 of section 86, and insert the words “Governor and Attorney-General;” which was read and agreed to.

The bill was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Berryman, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray,

Greer, Gwynne, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—90.

NOES—Messrs. Dade, Ingram, Pehle, Pepper, Powell, Whitaker, Withers and Younger—8.

ABSENT—Messrs. Beckner, Bohannon, Booth, Burford, Carroll, Chenoweth, Cock, Coleman, Cooper, Diercks, Foster, Hayes, Harrigan, Moler, Mudd of Lincoln, Palmer, Pollock, Riley, Swank and Wisby—20.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Cowan of Christian, Dryden, Farr, Hynes, Lackland, Mudd of St. Louis, McCormick of St. Louis city, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve and Wells—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Berryman, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Carleton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Withers and Mr. Speaker—100.

NOES—Mr. Younger—1.

ABSENT—Messrs. Beckner, Bohannon, Booth, Burford, Campbell of Atchison, Carroll, Chenoweth, Coleman, Ewing, Farr, Hammons, Harrigan, Lackland, Larimore, Lesueur, Lynn, Pollock, Swank and Wisby—19.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Cowan of Christian, Dryden, Hynes, Mudd of St. Louis, McCormick of St. Louis city, Reynolds, Saunders, Souder, Taylor, Tevis, Vancleve and Weils—17.

SICK—Messrs. Ballew, Campbell of St. Louis city, Dade, Ham, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. Taylor presented a petition from the St. Louis Trade Assembly demanding the House to reconsider the vote by which it defeated the labor bureau bill on the 23d of April, etc; which was read, and, on motion, referred to the Committee on Education.

The House resumed the consideration of Senate substitute No. 2 for Senate Bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county seats; pending at the hour of adjournment on Saturday.

The question being upon receding from House amendment No. 2, The House refused to recede therefrom.

Mr. Pollard moved that a Committee of Conference, consisting of three members, to be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendment No. 2 for Senate substitute No. 2, for Senate bill No. 101; which was agreed to.

The Speaker appointed as said committee on the part of the House, Messrs. Pollard, Ragan and Berryman.

Senate substitute No. 10 for Senate bill No. 52, entitled An act to revise and amend chapter 142 of the General Statutes of the State of Missouri, concerning garnishments; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute for Senate bill No. 59, entitled An act to revise and amend title 43 of the General Statutes of Missouri, concerning mechanics liens, liens for keeping horses and other animals, stud horse liens, vendors liens, personal property, hotel and boarding house keepers liens, contractors material, men and laborers liens, railroad and equitable liens and notices; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 4 for Senate bills Nos. 101 and 18, entitled An act to revise and amend chapter 38 of the General Statutes of the State of Missouri, concerning county treasurers; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 729, entitled An act to define a rule for computing life interests in estates, beg leave to report that they have considered the same and recommend that it be referred to Committee on Judiciary; which was read.

House bill No. 629; was taken up, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds, held in trust for the use of the State fund; was called up, and read the first time.

Senate substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor and proceedings thereon; was called up, and read the first time.

Senate substitute for Senate bill No. 73, entitled An act to revise and amend chapters 176 to 186 inclusive, regulating the jurisdiction and procedure before justices of the peace in civil cases; was called up, and read the first time.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 429, entitled An act to license dealers in tobacco and cigars, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 650, entitled An act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits and malt liquors within the limits of this State, by the drink, in addition to the license and ad valorem tax now, or which may hereafter be required by law for State purposes, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Davis moved to adjourn.

The ayes and noes being demanded, the House refused to adjourn by the following vote:

AYES—Messrs. Boulware, Brady, Carroll, Chenoweth, Creager, Davis, Dilley, Foster, Freed, Greer, Hall, Hale, Helm, Johnson, Kendall, Knight, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mc-

Garry, McKinney, O'Malley, Palmer, Pehle, Pollard, Ragan, Smith of Cedar, Taylor, Weygandt, Windes, Younger and Mr. Speaker—34.

NOES—Messrs. Alldridge, Bashaw, Beckner, Berry, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Dade, Dale, Diercks, Dodson, Dougherty, Ellis, Ewing, Finks, Hayes, Hammons, Haynes, Harrington, Harrison, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Morrison, McCormick of Washington, McElvain, McIntyre, McKill, Organ, Patterson of Schuyler, Phelan, Price, Rawlings, Riley, Settles, Spring, Talbot, Turner, Waggener, Warren, Whitaker and Withers—59.

ABSENT—Messrs. Adams, Andrews, Berryman, Bohannon, Booth, Burford, Chitwood, Coleman, Craig, Dawson, Drum, Farr, Gray, Gwynne, Harrigan, Hubbard, Ingram, Lackland, Lesueur, Pepper, Pollock, Powell, Powers, Smith of St. Louis city, Swank, Wiley and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Chilton, Cowan of Christian, Dryden, Hynes, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—17.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

On motion of Mr. Cloud, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Booth, from the Committee of Conference on Senate substitute No. 28 for Senate bill 52, submitted the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred Substitute No. 28 for Senate bill No. 52, entitled An act to revise and amend chapter 165 of the General Statutes of Missouri, concerning executions, beg leave to report that they have considered the same, and recommend that the House recede from House Amendments Nos. 4, 5 and 8, which are as follows:

Amendment No. 4—Amend section 9, by striking out the words "two work animals," in sixth and seventh lines of said section of printed bill, and inserting, in lieu thereof, the following: "Working animals of the value of one hundred and fifty dollars."

Amendment No. 5—Amend section 41, by striking out the words in brackets, as follows: "Which may be designated by the plaintiff or his attorney of record," in seventh and eighth lines of said section of printed bill.

Amendment No. 8—Amend section 76, by adding, "provided, the rate of taxation so ordered to be levied and assessed, shall in no case exceed the rate prescribed by its charter."

Your committee further recommend that the following substitute for sections 27 and 28, and House amendments thereto, be adopted, viz:

Section 27. When personal property, or any shares in any bank, company or corporation or other effects shall be seized by virtue of any execution, and any person other than the debtor in the execution shall, in writing, verified by affidavit of himself or some credible person, claim such property, or any part thereof, and shall, in such claim, set forth the right, title and interest of such claimant in and to such property, or any part thereof, and deliver such written claim to the officer making such seizure, such officer shall at once deliver a copy of such written claim to the execution creditor or his attorney of record; and if such execution creditor shall fail, within a reasonable time thereafter, to execute and deliver, or tender to such officer a bond payable to the State of Missouri, with one or more sufficient sureties, residents of the county, to be approved by the officer, conditioned to indemnify such officer and claimant against all damages and cost that may accrue to such officer, or to such claimant by reason of the seizure and sale of such property, the officer shall abandon such levy and release the property to the claimant. If the execution creditor shall execute and deliver such bond to the officer, the claimant may, at any time before the sale of the property, take possession thereof, upon executing and delivering to the officer a bond with one or more sufficient sureties, residents of the county, to be approved by him, payable to the State of Missouri and conditioned that the property shall be safely kept and preserved from damages, and be forthcoming when and where the court shall direct, and for the payment of all costs that shall, in the matter of such claim, be adjudged against the claimant. Such bonds may be sued on at the instance of any person injured, in the name of the State to the use of such person, for any breach of the conditions of such bonds and the damages which such person shall sustain shall be recovered thereon.

Section 28. If the execution creditor shall give bond as above provided, the officer shall return the claim and such bond or bonds as shall have been taken by him to the court to which the execution may be returnable, on or before the first day of the next term thereof, and the clerk shall enter the matter upon the docket as near as may

be, as civil cases are docketed, and the matter shall, unless continued for cause, be tried at the term at which the claim is returned. The execution creditor shall answer or demur to the claim returned by the officer, on or before the second day of the term, and the claimant may reply to the answer within such time as may be directed by the court, and all proceedings in relation to such claim shall be governed, as far as practicable, by the law relating to pleading and practice in civil actions. If the execution creditor shall fail to answer or demur as herein provided, or the judgment shall be in favor of the claimant, the court shall, by its order, direct the officer to release such property to the claimant, and shall enter judgment for cost against the execution creditor and his sureties. If the judgment shall be for the execution creditor, it shall be against the claimant and his sureties in like manner, and the court shall order the property sold, and a certified copy of such order shall be delivered to the officer, and shall have the force and effect of, and be proceeded upon, as a special execution. H. C. Lackland, John W. Booth, of the House; R. P. C. Wilson, J. A. Hockaday, J. H. Parrish, of the Senate; which was read.

The question being upon the adoption of the report, the roll was called, and the report was adopted by the following vote:

AYES—Messrs. Bashaw, Berry, Booth, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McKill, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Weygandt, Wiley and Mr. Speaker—80.

NOES—Messrs. Adams, Alldridge, Beckner, Boulware, Collins, Creager, Crowther, Dade, Hale, Louthan, McElvain, McKinney, Rawlings and Whitaker—14.

ABSENT—Messrs. Andrews, Berryman, Bohannon, Burford, Chenoweth, Coleman, Dilley, Freed, Gray, Greer, Hammons, Harrigan, Helm, Ingram, Johnson, Kendall, Morrison, O'Malley, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes, Wisby, Withers and Younger—29.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President has appointed as a Committee of Conference, to consider substitute for Senate bill No. 162, Senators Parrish, Heaston and Read to act with Messrs. Lackland, Campbell and Pepper ; also,

That the Senate has adopted the report of the Conference Committee appointed to consider substitute 28 for Senate bill No. 52 ; also,

That there has been introduced into and passed the Senate, substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor, in which the House is respectfully requested to concur ; which was read.

Substitute for House bill No. 504, entitled An act in relation to druggists ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Beckner, Berry, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carroll, Chilton, Cloud, Cock, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Davis, Diercks, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Hall, Hale, Harrington, Hubbard, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McElvain, McGarry, McKinney, Organ, Palmer, Pehle, Pepper, Phelan, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Warren, Whitaker, Wiley, Withers, Younger and Mr. Speaker—76.

NOES—Messrs. Carleton, Chitwood, Collins, Craig, Dawson, Ewing, Hayes, Haynes, Harrison, Helm, Ingram, Kendall, Kneisley, Mabrey, Miles, Moler, McCormick of Washington, McKill, O'Malley, Swank and Weygandt—21.

ABSENT—Messrs. Andrews, Bashaw, Berryman, Bohannon, Burford, Chenoweth, Coleman, Dilley, Freed, Gray, Greer, Gwynne, Hammons, Harrigan, Johnson, Morrison, Patterson of Schuyler, Pollock, Pollard, Powell, Smith of Cedar, Waggener, Windes and Wisby—24.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—7.

The title of the bill was read and agreed to.

Mr. Mahn moved to reconsider the vote by which the bill passed.

Mr. Davis moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 613, entitled An act declaring certain State bonds due and payable; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berry, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Weygandt, Whitaker, Wiley, Withers and Mr. Speaker—94.

NOES—Mr. Brady—1.

ABSENT—Messrs. Andrews, Beckner, Berryman, Bohannon, Burford, Carroll, Chenoweth, Coleman, Dilley, Freed, Gray, Greer, Gwynne, Hammons, Haynes, Harrigan, Johnson, Morrison, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes, Wisby and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Beckner, Berry, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Hayes, Hall, Hale, Harrington, Harrison, Hub-

bard, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—97.

ABSENT—Messrs. Andrews, Berryman, Bohannon, Burford, Chenoweth, Coleman, Cowan of Holt, Dale, Dilley, Freed, Gray, Greer, Gwynne, Hammons, Haynes, Harrigan, Johnson, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes and Wisby—25.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—19.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. Organ moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first class to administer, free of charge, all oaths in connection with their official duties; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berry, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—93.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Beckner, Berryman, Bohannon, Burford, Chenoweth, Chitwood, Coleman, Cowan of Holt, Dilley, Finks, Freed, Gray, Greer, Gwynne, Hammons, Haynes, Harrigan, Johnson, Morrison, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—16.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Bashaw, Beckner, Berry, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Hayes, Hall, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kniesley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—98.

NOES—Mr. Dade—1.

ABSENT—Messrs. Andrews, Berryman, Bohannon, Brown, Burford, Chenoweth, Coleman, Dilley, Freed, Gray, Greer, Gwynne, Hammons, Harrigan, Johnson, Morrison, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Bonham, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—15.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 646, entitled An act separating the offices of sheriff and jailer, and providing for the election of a jailer in each county; was taken up, and, on motion, postponed indefinitely.

Mr. Younger moved that the House adjourn.

The ayes and noes being demanded, the House refused to adjourn by the following vote:

AYES—Messrs. Adams, Berry, Brady, Chitwood, Collins, Cook, Creager, Crowther, Dawson, Dodson, Farr, Foster, Hubbard, Mabrey, Manistre, Moler, Mott, McGarry, O'Malley, Organ, Phelan, Ragan, Riley, Settles, Weygandt, Younger and Mr. Speaker—27.

NOES—Messrs. Alldridge, Arnold, Bashaw, Beckner, Booth, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Cloud, Cock, Cooper, Cowan of Holt, Cox, Craig, Crow, Dade, Dale, Davis, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Hale, Haynes, Harrington, Harrison, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Maynard, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, Palmer, Pehle, Pepper, Pollard, Powers, Price, Rawlings, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Whitaker, Wiley and Withers—65.

ABSENT—Messrs. Andrews, Berryman, Bohannon, Boulware, Bowman, Burford, Chenoweth, Coleman, Dilley, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Harrigan, Ingram, Johnson, Knight, Miles, Morrison, McKill, Patterson of Schuyler, Pollock, Powell, Smith of Cedar, Waggener, Windes and Wisby—31.

ABSENT WITH LEAVE—Messrs. Anderson, Bonham, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis, Vancleve and Wells—14.

SICK—Messrs. Ballew, Campbell of St. Louis city, Ham, Larimore, Patterson of Linn and Tiernan—6.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

Senate substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachment; was taken up, with the following amendment, recommended by the Committee on Judiciary:

Amend section 5 of said bill by striking out the words, "jurisdiction of such justice of the peace," in line 12 of said section, and inserting in lieu thereof the word, "county;" which was read and agreed to.

On motion, the bill as amended, was laid over informally.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-SECOND DAY—TUESDAY, April 29, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Rawlings, the further reading was dispensed with.

Mr. Waggener was reported sick.

Substitute No. 1 for House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds, to meet a casual deficiency in the revenue; was taken up.

On motion, the further consideration of the bill was postponed, and made the special order for to-morrow morning at 10 o'clock.

House bill No. 429, entitled An act to license dealers in tobacco and cigars; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Berry, Boulware, Bowman, Brewer, Bryan, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Coleman, Cook, Cowan of Holt, Cox, Craig, Crow, Creager, Crowther, Dade, Davis, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Hayes, Hale, Hammons, Harrigan, Harrington, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Maynard, Morrison, Mudd of Lin-

coln, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, McKill, Organ, Patterson of Schuyler, Price, Ragan, Riley, Settles, Spring, Swank, Talbot, Taylor, Turner, Warren, Wells, Windes and Mr. Speaker—72.

NOES—Messrs. Alldridge, Beckner, Berryman, Bohannon, Bonham, Brown, Burford, Cloud, Cock, Cooper, Dale, Dawson, Diercks, Dilley, Dodson, Freed, Gray, Greer, Harrison, Kneisley, Mahn, Manistre, Miles, Moler, Mott, McElvain, McKinney, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Rawlings, Smith of Cedar, Smith of St. Louis city, Vancleve, Weygandt, Whitaker, Wiley, Withers and Younger—42.

ABSENT—Messrs. Bashaw, Booth, Brady, Campbell of Atchison, Collins, Gwynne, Hall, Haynes, Mabrey, O'Malley, Palmer, Pollock and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder and Tevis—11.

SICK—Messrs. Campbell of St. Louis city, Ham, Patterson of Linn, Tiernan and Waggener—5.

The emergency clause was not adopted, by the following vote :

AYES—Messrs. Adams, Arnold, Ballew, Berry, Bohannon, Boulware, Bowman, Brewer, Bryan, Carleton, Chenoweth, Chilton, Chitwood, Coleman, Cook, Craig, Creager, Crow, Crowther, Dade, Davis, Dougherty, Ellis, Ewing, Finks, Foster, Freed, Greer, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pollock, Pollard, Price, Ragan, Riley, Settles, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Windes and Mr. Speaker—68.

NOES—Messrs. Alldridge, Andrews, Beckner, Berryman, Bonham, Brown, Burford, Campbell of Atchison, Cloud, Cock, Cooper, Dale, Diercks, Dilley, Dodson, Drum, Gray, Kneisley, Larimore, Mahn, Manistre, Miles, Moler, Mott, McElvain, McKinney, Pehle, Pepper, Phelan, Powell, Powers, Rawlings, Smith of Cedar, Talbot, Whitaker, Wiley, Withers and Younger—38.

ABSENT—Messrs. Bashaw, Booth, Brady, Carroll, Collins, Cowan of Holt, Cox, Dawson, Farr, Gwynne, Hayes, Hall, Haynes, Mabrey, McCormick of Washington, O'Malley, Taylor, Vancleve, Weygandt and Wisby—20.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder and Tevis—12.

SICK—Messrs. Campbell of St. Louis city, Ham, Patterson of Linn, Tiernan and Waggener—5.

The title of the bill was read and agreed to.

Mr. Louthan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined substitute for House bills No. 407 and 419, entitled An act to prevent swine from running at large, etc., and find the same truly and correctly enrolled; which was read.

Substitute for House bills Nos. 407 and 419; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

House bill No. 461, entitled An act for the relief and benefit of S. W. Smith and J. E. Jones, of Benton county; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Ballew, Bashaw, Berry, Berryman, Bohannon, Boulware, Brady, Brewer, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cox, Creager, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ewing, Farr, Finks, Foster, Freed, Greer, Hayes, Hammons, Harrigan, Helm, Johnson, Kendall, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McGarry, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Price, Ragan, Rawlings, Riley, Smith of Cedar, Smith of St. Louis city, Turner, Vancleve, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—70.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Bonham, Bowman, Brown, Campbell of Atchison, Cloud, Cooper, Craig, Crow, Dade, Diercks, Drum, Ellis, Gray, Hale, Harrison, Hubbard, Ingram, Kneisley, Knight, Larimore, Lesueur, Mackey, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Pehle, Powell, Powers, Spring, Swank, Talbot, Taylor, Warren, Withers and Younger—42.

ABSENT—Messrs. Booth, Collins, Cowan of Holt, Gwynne, Hall, Haynes, Harrington, Lackland, Louthan, Pepper, Pollock, Pollard, Settles and Whitaker—14.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder and Tevis—12.

SICK—Messrs. Campbell of St. Louis city, Ham, Patterson of Linn, Tiernan and Waggener—5.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names :

Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—129.

Substitute for House bill No. 30, entitled An act to amend section 3 of an act approved March 28, 1878, concerning the assessment and collection of taxes, and section 56 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872; was taken up, and read the third time.

Mr. Louthan moved to reconsider the vote by which the bill was ordered to a third reading ; which was not agreed to.

The question being upon the passage of the bill,

The roll was called and the bill passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Hammons, Harrison, Hubbard, Helm, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Maynard, Moler, Morrison, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard,

Powell, Powers, Price, Ragan, Rawlings, Riley, Smith of Cedar, Spring, Swank, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—95.

NOES—Messrs. Brady, Carroll, Chenoweth, Chitwood, Coleman, Cooper, Crow, Dodson, Drum, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Johnson, Lackland, Louthan, Mahn, Miles, Mott, Mudd of St. Louis, Mudd of Lincoln, McGarry, O'Malley, Settles, Smith of St. Louis city, Talbot and Wiley—31.

ABSENT—Messrs. Freed, Kendall and Mr. Speaker—3.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder and Tevis—10.

SICK—Messrs. Ham, Patterson of Linn, Tiernan and Waggener—4.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Hayes, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—103.

NOES—Messrs. Brady, Carroll, Chenoweth, Chitwood, Coleman, Cooper, Crow, Dodson, Drum, Greer, Gwynne, Hall, Hale, Haynes, Harrington, Lackland, Louthan, Mahn, Mott, Mudd of St. Louis, McGarry and Settles—22.

ABSENT—Messrs. Bowman, Foster, Johnson and Talbot—4.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder and Tevis—10.

SICK—Messrs. Ham, Patterson of Linn, Tiernan and Waggener—4.
The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 612, entitled An act to repeal the fourth section of an act entitled an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the sixteenth judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the sixteenth judicial circuit, approved March 17, 1871; which was read.

Mr. Dryden, from the Committee of Conference on substitute for Senate bills Nos. 60 and 204, submitted the following report:

MR. SPEAKER: The undersigned, composing the Conference Committee, appointed by the Speaker of the House and President of the Senate, respectively, to consider the differences between the two Houses concerning certain amendments to substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases, would very respectfully report that we have considered said differences, and have agreed upon and recommend the following as an adjustment thereof:

First, We have agreed and recommend that the Senate concur in House amendment No. 1 to said bill as follows:

Amendment No. 1—Amend section 288 by adding thereto the following words: "Provided that the order in which civil and criminal cases are above directed to be docketed, may be changed from time to time by order of the court, or of the judge thereof."

Second, We have agreed upon and recommend the following in lieu of House amendment No. 6.

Amend by striking out section 334, and insert the following in lieu thereof: Section 334. The opinion shall always contain a sufficient statement of the case so that it may be understood without reference to the record and proceedings in the same.

Third, We have agreed upon and recommend that the Senate concur in House amendment as follows, viz :

Amend section 34 of printed bill by striking out the words "for quieting title to real estate," in the second and third lines thereof; and by striking out the words "and in suits for quieting title," in the eighteenth line thereof; and the words "and the real estate, the title to which is sought to be quieted," in the nineteenth and twentieth lines thereof.

4th. We have agreed upon and recommend the following in lieu of House amendment to Senate bill No. 8 to section 102:

Amend by striking out section 102, and insert the following in lieu thereof:

SECTION 102. Quieting titles. Any person in possession of real property, claiming an estate of freehold, or an unexpired term of not less than ten years, may file a petition in the circuit court, setting forth his estate, whether of inheritance, for life or years, and describing the premises, and averring that he is credibly informed and believes that the defendant makes some claim adverse to the estate of the petitioner, and praying that he may be summoned to show cause why he should not bring an action to try the alleged title, (if any), and thereupon the court shall order notice to be given to the defendant; and upon return of such order of notice duly executed, if the defendant so summoned shall make default, or, having appeared, shall disobey the lawful order of the court to bring an action and try the title, the court shall enter a judgment that he be forever debarred and estopped from having or claiming any right or title, adverse to the petitioner, and those claiming by or through him, to the premises described. If any person who shall be proceeded against under the provisions of this section, shall be a non-resident of this State, the fact of non-residence shall be alleged in the petition, or in an affidavit filed in the court, and the order of notice made by the court shall be returnable to the first day of the next regular term of the court making such order, and may be renewed from time to time, as occasion may require; and all orders made under the provisions of this section against non-residents of this State, shall be served by delivering a duly exemplified copy thereof, to such non-resident at any place within or without this State, by any person above the age of twenty-one years, not incompetent to testify as a witness in the cause, and being proved by the affidavit or deposition of such person, such service shall be as effectual as if made by a duly authorized officer in this State upon a resident thereof."

5th. We have further agreed, and recommend that the Senate should not agree to House amendment No. 21, and that the House should recede therefrom, which said amendment is as follows :

Amend by striking out section 288, and inserting the following :

Section 288. One of such dockets shall be known as the court docket, the other as the bar docket, and shall be arranged appropriately with spaces for the names of attorneys, and brief statements of the orders and judgments of the court in the respective cases. Such cases shall be docketed as follows : First—All criminal cases. Second—All civil cases for trial. Third—The return cases, showing whether process has been served or not. John D. S. Dryden, H. C. Lackland, John W. Booth, E. M. Edwards, Samuel C. Major, D. A. DeArmond, Committee ; which was read.

The question being upon the adoption of the report, the roll was called and the report was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Withers and Younger—111.

ABSENT—Messrs. Bryan, Craig, Cowan of Holt, Dade, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Kendall, Miles, Pepper, Powell, Settles, Vancleve, Whitaker and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder and Tevis—10.

SICK—Messrs. Ham, Patterson of Linn, Tiernan and Waggener—4.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee appointed to consider substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161 to 172, both inclusive, of the General Statutes of the State of Missouri, concerning practice in civil cases; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the President has appointed as a Committee of Conference, to consider substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36, General Statutes of Missouri, concerning county buildings and the removal of county seats, Senators Lloyd, Ballingal and Read, to act with Messrs. Pollard, Ragan and Berryman; which was read.

The special order, being the consideration of substitute for House concurrent resolution No. 31, entitled Concurrent resolution of the House of Representatives and Senate of the 30th General Assembly of the State of Missouri, submitting an amendment to article 4 of the Constitution of the State of Missouri, to a vote of the qualified voters of the State, at the general election to be holden on the Tuesday next after the first Monday in November, in the year A. D. 1880, providing for the removal of the seat of government of the State of Missouri from the City of Jefferson, in Cole county, to the city of Sedalia, in Pettis county; was taken up.

Mr. Powers moved to reconsider the vote by which the resolution was ordered to engrossment and printing; which was not agreed to.

On motion the further consideration of the resolution was postponed, to admit of the second reading of Senate bills.

Senate substitute for Senate bill No. 73, entitled An act to revise and amend chapter 176 to 186 inclusive, in regulating the jurisdiction and procedure before justices of the peace in civil cases; was called up, read the second time, and, on motion, referred to the Joint Committee on Revision.

Senate substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor, and proceedings thereon; was called up, read the second time, and, on motion, referred to the Joint Committee on Revision.

Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the use of the State

fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

The House resumed the consideration of substitute for House concurrent resolution No. 31,

Pending the consideration of which,

On motion of Mr. Vancleve, the House took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.* Campbell in the chair.

Senate substitute No. 28, for Senate bill No. 52, entitled An act to revise and amend chapter No. 160 of the General Statutes of the State of Missouri, concerning executions; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

The House resumed the consideration of substitute for House concurrent resolution No. 31, pending at the hour of recess.

The question being upon the third reading and passage of the resolution; it was read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Bashaw, Bohannon, Bonham, Brown, Campbell of Atchison, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Crowther, Dale, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Finks, Foster, Freed, Gray, Gwynne, Hammons, Harrigan, Harrington, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Lesueur, Lockhart, Mackey, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McDaniel, McGarry, O'Malley, Organ, Pepper, Pollard, Powell, Price, Riley, Smith of St. Louis city, Spring, Taylor, Waggener, Wells, Whitaker, Wiley, Windes, Wisby and Younger—68.

NOES—Messrs. Alldridge, Ballew, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of St. Louis city, Carleton, Coleman, Cooper, Crow, Dade, Diercks, Dodson, Drum, Dryden, Ewing, Greer, Hayes, Hall, Hale, Haynes, Harrison, Kneisley, Lackland, Larimore, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Ragan, Rawlings, Settles, Smith of Cedar, Swank,

Talbot, Turner, Vancleve, Warren, Weyandt, Withers and Mr. Speaker—60.

ABSENT—Messrs. Creager and Palmer—2.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McIntyre, Reynolds, Saunders, Souder and Tevis—10.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

Mr. Belch moved to reconsider the vote by which the resolution failed to pass.

Mr. Haynes moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Adams, Alldridge, Ballew, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Coleman, Cooper, Cowan of Holt, Cox, Craig, Crow, Dade, Diercks, Dodson, Drum, Dryden, Ewing, Foster, Greer, Hayes, Hall, Hale, Haynes, Harrigan, Harrison, Kneisley, Knight, Lackland, Larimore, Louthan, Lynn, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Settles, Swank, Talbot, Turner, Warren, Weygant, Withers and Mr. Speaker—69.

NOES—Messrs. Andrews, Arnold, Bashaw, Bonham, Brown, Campbell of Atchison, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Dale, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Finks, Freed, Gray, Gwynne, Hammons, Harrington, Hubbard, Ingram, Johnson, Lesueur, Lockhart, Mackey, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McDaniel, McGarry, O'Malley, Pepper, Pollard, Powell, Riley, Smith of St. Louis city, Spring, Taylor, Waggener, Wells, Whitaker, Wiley, Windes, Wisby and Younger—54.

ABSENT—Messrs. Beckner, Creager, Crowther, Helm, Kendall, Palmer, Smith of Cedar and Vancleve—8.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, Reynolds, Saunders, Souder and Tevis—9.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Substitute for Senate bills Nos. 57 and 108, being An act to revise and amend title 30 of the General Statutes of the State of Missouri, concerning voluntary assignments, beg leave to report

that they have considered the same and recommend that it do pass with the amendments herewith submitted; which was read.

Senate substitute for Senate bills Nos. 57 and 108; was taken up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1.—Amend section 20, by adding the following to the end thereof: “*Provided*, That any creditor shall fail to lay his claim before said assignee during said term, on account of sickness, absence from the State, or any other good cause, may, at any time before the declaration of the final dividend, file and prove up his claim, and the same may be allowed and the remaining dividend paid thereon, as in the case of other allowed claims.”

Amendment No. 2.—Amend section 23 by striking out all after the word “court” in line 5 of printed bill, and inserting in lieu thereof the following, to-wit: “Having jurisdiction of the matter of the assignment, and all appeals heretofore taken shall be transferred to and perfected in such circuit court.”

Amendment No. 3.—Amend by striking out section 24, and inserting in lieu thereof the following, to-wit: Section 24. All appeals allowed by virtue of the foregoing section shall be taken and made, by the appellant (or some one for him) making and filing an affidavit that the appeal is not taken for vexation or delay, but because affiant believes that appellant is prejudiced by the decision appealed from, and by giving a bond to the State of Missouri, in such sum as the assignee may require, and with such sureties as he may approve, conditioned that appellant will prosecute his appeal with due diligence, and pay all costs awarded against appellant, if judgment for costs be rendered against appellant, it shall be awarded against him and his sureties on the bond. In all other respects, appeals shall be taken, certified and proceeded with in the same manner as appeals from judgments of justices of the peace.”

Amendment No. 4.—Amend section 33, by inserting the words “and upon such other terms and notice” after the word “credit” in the fourth line of said section (printed bill); which was read and agreed to.

Amendment No. 5.—Amend section 42 of said bill, by striking out all after the word “provided,” where at first it occurs in line 21 of said section (printed bill), and inserting in lieu thereof the following, to-wit: “And *Provided*, further, that the assignee, before procuring said order, shall give such notice of his application therefor, as the court or judge thereof in vacation may direct;” which was read and agreed to.

Amendment No. 6.—Amend said bill, by striking out all of sections 43, 44, 45 and 46; which was read and agreed to.

Amendment No. 7.—Amend by striking out section 47 and inserting in lieu thereof the following, to be known as section 43, to-wit: "Section 43. An act entitled an act to amend sections 16, 17, 20 and 21 of chapter 112 of the General Statutes of 1865, concerning voluntary assignments, and to amend said chapter by adding thereto new sections, to be numbered 42, 43, 44, 45 and 46, approved April 16, 1879; and all other acts and parts of acts inconsistent with this act, are hereby repealed; which was read and agreed to.

Amendment No. 8.—Amend said bill by adding the following section thereto, to be known as section 44, to-wit: Section 44. The existence of a grave question as to what court in some counties has jurisdiction of appeals, in cases of assignments heretofore made, and the great delay in administering such assignments, by reason whereof great losses may ensue, create an emergency for the immediate taking effect of this act; therefore, it shall take effect and be in force from and after its passage; which was read and agreed to.

On motion, the bill, as amended, was laid over for a third reading.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 409, entitled An act to authorize the issue of four per cent. bonds, in renewal of existing six per cent. bonds of this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 680, entitled An act to regulate the practice of medicine and surgery in Pemiscot county, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred substitute for House bill No. 456, entitled An act to regulate warehouses and the storage of grain in warehouses, and to prevent fraud in handling grain, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Senate substitute for Senate bill No. 285, entitled An act to provide for the filling of vacancies in State and county offices ; was called up, and read the first time.

Senate substitute No. 29, for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions ; was called up and read the first time.

Senate substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor ; was called up, and read the first time.

On motion of Mr. Settles, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-THIRD DAY—WEDNESDAY, April 30, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Rev. Mr. Barrett.

The journal of yesterday was being read, when,

On motion of Mr. Riley, the further reading was dispensed with.

House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22 ; was taken up with the following amendments, recommended by the Committee on Ways and Means :

Amendment No. 1—Amend section 1, line 19, by inserting after the word "funds," in said line, the following: Provided, that any tract of land purchased by any county court as aforesaid, shall remain and be subject to assessment and levy for taxation as other property ; and for all such taxes the State shall have a lien as in

other cases, but in no case shall the county court pay any such taxes levied after the purchase at the tax sale, but the same shall be retained and paid out of the proceeds of any resale of such tract of land in the same manner as the taxes for which said land was sold at the tax sale; and provided that in no case shall any county court pay any portion of the costs or expenses out of the county treasury at the time of the purchase of any tract of land, but the costs and expenses on each tract purchased shall be paid by the county court out of the amount realized from the resale of such tract, and from no other fund whatever; which was read and agreed to.

Amendment No. 2—Amend section 1 by adding to said section the following: “Nothing in this section shall be so construed as to authorize any county court to make such resale until at least two years shall have passed from the date of the first sale by the county court;” which was read.

Mr. Bryan offered the following amendment to the amendment:

Strike out the word “authorize,” in line 2 and insert the word “compel;” and in lines 3 and 4 of same amendment, strike out the words “by the court;” which was read and agreed to.

The amendment as amended, was then read and agreed to.

Amendment No. 3—Insert in lieu of the whole of section 2 of the printed bill, the following: Section 2. Section 23 shall read as follows: Section 23. In case the county court of any county shall not dispose of lands purchased in pursuance of this act in the manner provided in the preceding section, within two years after purchasing the same, it shall be the duty of such county court to cause its agent to sell all lands so purchased at public vendue for cash, at the courthouse door, during the session of the circuit court of such county at the first regular term thereof next after the expiration of two years from the date of the purchase of said lands; which was read and agreed to.

Amendment No. 4—Renumber section 2 of printed bill by inserting the figure “3” in lieu of figure “2,” and then insert section 2 of printed bill; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Substitute for House bill No. 409, entitled An act to authorize the issue of four per centum bonds in renewal of existing six per cent. bonds in this State: was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Carleton, Carroll,

Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Windes, Withers, Younger and Mr. Speaker—112.

NOES—Messrs. Brown, Gray, Hall, Kneisley and Powell—5.

ABSENT—Messrs. Campbell of Atchison, Dilley, Drum, Lackland, Pollard, Smith of St. Louis city, Whitaker and Wisby—8.

ABSENT WITH LEAVE—Messrs. Bashaw, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis and Wiley—13.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Organ moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wiley was granted leave of absence for one day.

Mr. Bashaw for one-half day.

Mr. Creager was reported sick.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House Bill No. 612, entitled An act to repeal section 4 of an act to amend section 42 of chapter 136, of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the 16th judicial circuit, approved March 22, 1870, the same being section 44, of article 4, of chapter 41, of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the 16th judicial circuit, approved March 17, 1871, and find the same truly and correctly enrolled; which was read.

House bill No. 612, was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Anderson, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred House bill No. 131, entitled An act to amend section 30 and 31 of chapter 41, of the General Statutes of Missouri, entitled of the incorporation of towns, election and powers of trustees, the same being sections 30 and 31, of chapter 134, of Wagner's Missouri Statutes, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

House bill No. 131 was taken up with the following amendments, recommended by the Joint Committee on Revision:

Amendment No. 1—Amend chapters 41 and 42 of the General Statutes of Missouri, concerning the incorporation of towns, the election and powers of trustees, etc., by adding a new section thereto, to be known as section 18:

Section 18. All of the provisions of chapters 41 and 42 of the General Statutes of Missouri, shall apply to villages as well as to towns, and with equal force and effect; which was read and agreed to.

Amendment No. 2—Amend the title of the bill by adding the words "and by adding a new section thereto, to be known as section 18 of chapter 42," after the word "statutes," in line 4; which was read and agreed to.

Amendment No. 3—Amend section 1, by striking out the word "twenty," in line 9, and inserting the word "fifty" in lieu thereof; which was read and agreed to.

On motion, the bill as amended was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts in counties having a population exceeding fifty thousand, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 299, was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Berry, Berryman, Bohannon, Booth, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chitwood, Collins, Cook, Cowan of Holt, Cox, Dawson, Dilley, Dougherty, Ewing, Foster, Freed, Harrigan, Harrington, Hubbard, Kendall, Kneisley, Knight, Lackland, Lesueur, Lynn, Mabrey, Mackey, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, McGarry, McKill, O'Malley, Palmer, Phelan, Pollock, Pollard, Powers, Ragan, Riley, Settles, Smith of St. Louis city, Taylor, Vancleve, Weygandt and Wisby—55.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Bonham, Boulware, Bowman, Burford, Chenoweth, Chilton, Cloud, Cock, Coleman, Cooper, Craig, Crow, Dade, Dale, Davis, Diercks, Dodson, Drum, Ellis, Finks, Gray, Greer, Gwynne, Hale, Harrison, Helm, Ingram, Johnson, Larimore, Lockhart, Louthan, Mahn, Miles, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, Organ, Patterson of Schuyler, Pehle, Powell, Price, Rawlings, Smith of Cedar, Spring, Swank, Talbot, Turner, Waggener, Warren, Wells, Whitaker, Windes, Withers, Younger and Mr. Speaker—60.

ABSENT—Messrs. Arnold, Crowther, Farr, Hayes, Hall, Hammons, Haynes, Morrison, Pepper and Saunders—10.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Souder, Tevis and Wiley—13.

SICK—Messrs. Campbell of St. Louis city, Oreager, Ham, Patterson of Linn and Tiernan—5.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 353, entitled An act supplemental to and amendatory of an act entitled an act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the 24th judicial circuit, and to provide for the election of a judge and circuit attorney therefor, approved February 1, 1871, and by adding thereto the following new sections, to be known as and numbered sections 27, 29, 30, 31, 32, 33, 34, 35 and 36, approved March 24, 1879, by adding a new section thereto, numbered and to be known as section 16, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 353; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Cook, Cooper, Cowan

of Holt, Cox, Crow, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Weygandt, Wisby and Mr. Speaker—105.

NOES—Messrs. Craig, Crowther, Dale, Wells, Windes, Withers and Younger—7.

ABSENT—Messrs. Bonham, Brady, Cloud, Coleman, Collins, Dade, Hammons, Haynes, Harrington, Pepper, Rawlings and Whitaker—12.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis and Wiley—14.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 673, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2 at St. Joseph, and to appoint commissioners to superintend the erection of the same, and has adopted the emergency clause thereto; which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., April 30, 1879.)

To the Hon. J. ED. BELCH, Speaker House of Representatives:

SIR:—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to prohibit the discharge of fire-arms in the immediate vicinity of any court house, church or building used for school or college purposes;

An act to appropriate money for the erection of a tombstone over the remains of Hon. Thomas J. Howell, late Representative ;

An act in relation to pawnbrokers;

An act to prevent swine from running at large in all counties of this State, when a majority of the legal voters, voting at any election, shall vote to restrain the same from running at large in such county ;

An act for the relief of Jno. A. S. Tutt, formerly judge of the 6th judicial circuit, and to appropriate money therefor.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Senate substitute No. 26 for Senate bill No. 52, entitled An act to revise and amend chapter 158 of the General Statutes of the State of Missouri, concerning change of venue in civil cases ; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names :

Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers, Younger and Mr. Speaker—124.

The special order being the consideration of House bill No. 602, entitled An act regulating the interest of money ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brown, Burford, Carleton, Chenoweth, Chitwood, Cloud, Collins, Cook, Cooper, Craig, Dade, Dale, Dawson, Dilley, Dougherty, Ellis,

Ewing, Farr, Finks, Gray, Hammons, Harrison, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pehle, Pepper, Powell, Powers, Price, Ragan, Rawlings, Spring, Talbot, Turner, Vancleve, Warren, Whitaker, Windes, Wisby, Withers and Younger—73.

NOES—Messrs. Arnold, Berryman, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chilton, Cock, Cox, Crow, Crowther, Davis, Diercks, Dodson, Drum, Dryden, Foster, Freed, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Lackland, Louthan, Mahn, Manistre, Maynard, Mott, McDaniel, McGarry, O'Malley, Organ, Phelan, Pollock, Pollard, Riley, Settles, Smith of St. Louis city, Swank, Waggener, Weils, Weygandt and Mr. Speaker—52.

ABSENT—Messrs. Coleman, Cowan of Holt, Greer, Smith of Cedar and Taylor—5.

ABSENT WITH LEAVE—Messrs. Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, Reynolds, Saunders, Souder, Tevis and Wiley.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Finks moved to reconsider the vote by which the bill passed.

Mr. Rawlings moved to lay the motion to reconsider on the table; which was agreed to.

The special order being the consideration of House bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform the same to the changes wrought by section 23, article 9 of the Constitution, and to add an additional section thereto, to be known as section 14; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kniesley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of Lincoln, Mudd of

St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Younger and Mr. Speaker—111.

NOES—Messrs. Dade, Whitaker and Withers—3.

ABSENT—Messrs. Alldridge, Beckner, Coleman, Davis, Dawson, Johnson, Lackland, Morrison, Pepper, Powell, Riley, Waggener, Windes and Wisby—14.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, Reynolds, Saunders, Souder, Tevis and Wiley—11.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The emergency clause was adopted, by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Windes, Wisby, Younger and Mr. Speaker—110.

NOES—Messrs. Dade, Morrison, Pehle, Whitaker and Withers—5.

ABSENT—Messrs. Beckner, Burford, Carroll, Chitwood, Coleman, Diercks, Gray, Harrington, Johnson, Lackland, Miles, Pepper, Powell, Riley and Waggener—15.

ABSENT WITH LEAVE—Messrs. Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, Reynolds, Saunders, Souder, Tevis and Wiley—9.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order, being the consideration of substitute No. 1 for House bill No. 350, entitled An act to appropriate money to pay revenue bonds; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Helm, Ingram, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Wells, Whitaker, Wisby, Withers and Younger—103.

NOES—Messrs. Booth, Brown, Burford, Cooper, Gray, Kendall and Powell—7.

ABSENT—Messrs. Cock, Coleman, Dawson, Freed, Haynes, Harrigan, Harrington, Johnson, Maynard, Morrison, Pollock, Taylor, Waggener, Weygandt, Windes and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Souder, Tevis and Wiley—13.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrison, Hubbard, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, Mc-

Cormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—105.

NOES—Messrs. Booth, Brown, Burford, Cooper, Gray, Harrington and Powell—7.

ABSENT—Messrs. Ballew, Campbell of St. Louis city, Chilton, Coleman, Haynes, Harrigan, Helm, Johnson, Lackland, Maynard, Organ, Pollock, Souder, Waggener and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Burrows, Cowan of Christian, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Tevis and Wiley—12.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.
The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of substitute No. 2 for House bill No. 350, entitled An act to authorize the issue of two hundred and fifty thousand dollars of popular loan revenue bonds to meet a casual deficiency in the revenue; was taken up, read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Burford, Chenoweth, Chitwood, Cloud, Cock, Crowther, Dade, Dale, Dodson, Dougherty, Ellis, Ewing, Finks, Freed, Gray, Greer, Hall, Hale, Harrison, Ingram, Knight, Larimore, Mabrey, Mackey, Miles, Mudd of St. Louis, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, O'Malley, Palmer, Pehle, Pepper, Powell, Talbot, Warren, Wells, Whitaker, Withers and Younger—51.

NOES—Messrs. Bashaw, Berryman, Booth, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chilton, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Diercks, Dilley, Drum, Foster, Hayes, Hammons, Haynes, Harrington, Hubbard, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mahn, Moler, Morrison, Mott, McGarry, Organ, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Vancleve, Weygandt, Windes and Wisby—62.

ABSENT—Messrs. Arnold, Coleman, Collins, Farr, Gwynne, Harrigan, Johnson, Manistre, Maynard, Pollock, Pollard, Souder, Waggener and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Tevis and Wiley—12.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters of this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Cook, Cooper, Cowan of Holt, Craig, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Foster, Freed, Gray, Greer, Hayes, Hale, Harrington, Harrison, Hubbard, Helm, Ingram, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powell, Powers, Price, Rawlings, Riley, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Turner, Warren, Weygant and Whitaker—93.

NOES—Messrs. Brown, Campbell of Atchison, Cox, Settles, Spring and Talbot—6.

ABSENT—Messrs. Arnold, Coleman, Collins, Dade, Davis, Dawson, Farr, Finks, Gwynne, Hall, Hammons, Haynes, Harrigan, Johnson, Kendall, Maynard, Pollock, Pollard, Ragan, Souder, Vancleve, Waggener, Wells, Windes, Wisby, Withers, Younger and Mr. Speaker—28.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McCormick of St. Louis city, McDaniel, McIntyre, Reynolds, Saunders, Tevis and Wiley—12.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 647, entitled An act to amend section one of chapter 16 of the General Statutes of Missouri, and to add a new section to said chapter, to be numbered section six, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 647 was taken up.

Mr. Haynes offered the following amendment:

Amend by striking out section two; which was read.

Pending the consideration of the amendment,

On motion of Mr. Cox, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Lesueur in the chair.

The House resumed the consideration of House bill No. 647, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6, pending at the hour of recess.

The question being upon agreeing to the amendment offered by Mr. Haynes, it was not agreed to.

The question being upon the engrossment and printing of the bill,

The ayes and noes were demanded, and the bill was ordered engrossed and printed, by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brady, Brown, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Craig, Crowther, Dade, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hale, Hammons, Harrigan, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Pehle, Pollock, Powell, Powers, Price, Ragan, Rawlings, Riley, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Withers—88.

NOES—Messrs. Adams, Bonham, Bowman, Brewer, Campbell of Atchison, Cloud, Cooper, Cowan of Holt, Cox, Crow, Hayes, Haynes, Harrington, Lackland, Lockhart, Mabrey, Manistre, Maynard, Morrison,

Mott, McCormick of St. Louis city, McGarry, Palmer; Phelan, Pollard, Smith of Cedar and Smith of St. Louis city—27.

ABSENT—Messrs. Berryman, Dawson, Foster, Hall, Johnson, Miles, Moler, Pepper, Settles, Souder, Vancleve, Younger and Mr. Speaker—13.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McDaniel, McIntyre, Reynolds, Saunders and Wiley—10.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed Senate bill No. 358, entitled An act concerning executions;

Also, Senate bill No. 362, entitled An act in relation to courts of common pleas;

Also, substitute for Senate bill No. 95, entitled An act to amend sections 1 and 7 of chapter 85 of the General Statutes of 1865, concerning coroners and inquests on the dead;

Also, substitute for Senate bill No. 58, entitled An act to revise and amend title 36 of chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matter;

Also, Senate bill No. 333, entitled An act to revise and amend the laws in relation to the assessment of railroad property and the collection of taxes thereon;

Also, Senate joint and concurrent resolution No. 20, entitled Joint and concurrent resolution instructing our Senators, and requesting our representatives in Congress, to vote for and support by all honorable influences the bills now pending before Congress for the repeal of the federal election laws of May 31, 1870, and acts amendatory of February 28, 1871, and June 10, 1872, known as the federal supervisory election laws; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name,

and has concurred in amendments Nos. 1, 2, 3, 5, 6 and 7, and has refused to concur in amendment No. 4, as follows:

Amendment No. 4—Amend section 52 of article 1 so as to read as follows:

Section 52. Guardians and curators shall make final settlements of their guardianship or curatorship upon cessation of their authority, whether by revocation, resignation, the majority of their wards or the marriage of female wards. And for the purpose of such settlement, such guardian or curator shall make a just and true exhibit of the account between himself and his ward, and file the same in the court having jurisdiction of his accounts as such guardian, and cause a copy thereof, together with a notice, in writing, stating the day when and the court in which he will make such settlement, to be delivered to his ward, or, in case of the marriage of the female ward, to the ward and her husband, or, in case of revocation or resignation, to the succeeding guardian or curator, at least three months next before the first day of the term of the court at which said settlement, according to the terms of such notice, is to be made. And at the time specified in such notice, the court, upon satisfactory proof of such delivery of such copy of exhibit and notice, shall proceed to examine the accounts of such guardian or curator, correct all errors therein, if any there be, and make a final settlement with such guardian or curator, or the court may, for any good cause, continue the matter of such settlement, and proceed therein at any time agreed upon by the parties or fixed by the court, and respectfully requests the House to recede therefrom; which was read.

Mr. Foster, from the Committee on Militia, submitted the following report:

MR. SPEAKER: Your Committee on Militia, to whom was referred Senate bill No. 361, entitled An act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal acts inconsistent with this act, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 361 was taken up.

Mr. Campbell of Atchison offered the following amendment:

Amend by striking out all of article 10; which was read.

Mr. Riley offered the following substitute for the amendment:

Strike out the word "shall," in line 1, section 51, and substitute the word "may;" which was read and not agreed to.

The question recurring upon agreeing to the amendment, it was agreed to.

Mr. Davis offered the following amendment :

Strike out section 61 of article 11 of printed bill ; which was read and agreed to.

Mr. Dale offered the following amendment :

Amend section 1 by striking out all of said section after the word "do," in line 6 of the printed bill ; which was read.

Mr. Riley offered the following substitute for the amendment :

Amend by adding to section 1 " in times of actual war ; " which was read and not agreed to.

The question recurring upon agreeing to the amendment ; it was not agreed to.

Mr. Bonham offered the following amendment :

Amend section 1 by striking out "sixteen dollars," and insert "six dollars;" which was read.

Mr. Dale offered the following amendment to the amendment :

Amend the amendment by striking out the words "six dollars," and insert "four dollars;" which was read and not agreed to.

The question recurring upon agreeing to the amendment ; it was agreed to.

The bill, as amended, was then read the third time and passed by the following vote :

AYES—Messrs. Arnold, Bashaw, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Dilley, Dodson, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hammons, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, O'Malley, Organ, Palmer, Phelan, Pollock, Ragan, Riley, Smith of St. Louis city, Spring, Taylor, Tevis, Vancleve, Waggener, Wells, Weygandt, Whitaker and Wisby—76.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Boulware, Brown, Burford, Chitwood, Coleman, Cook, Dade, Dale, Dawson, Drum, Ellis, Gray, Greer, Hale, Harrison, Ingram, Kneisley, Larimore, Mackey, Manistre, McElvain, McKill, McKinney, Patterson of Schuyler, Pehle, Pepper, Powell, Powers, Price, Rawlings, Smith of Cedar, Swank, Talbot, Turner, Warren, Windes and Withers—44.

ABSENT—Messrs. Collins, Diercks, Hall, Johnson, Louthan, Miles, Pollard, Settles, Younger and Mr. Speaker—10.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, Reynolds, Saunders, Souder and Wiley,—9.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed.

Mr. Taylor moved to lay the motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 638, entitled An act to appropriate money, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights or measures, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 332, entitled An act to provide for the establishment of parks in cities, and providing the manner for the appropriation and valuation of lands taken therefor, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate bill No. 332; was taken up, read the third time, and passed by the following vote;

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Cloud, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Diercks, Dilley, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Foster Greer, Hayes, Haynes, Harrigan, Harrington, Harrison, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St.

Louis city, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Phelan, Pollard, Powers, Price, Ragan, Smith of Cedar, Smith of St. Louis city, Turner, Vancleve, Weygandt, Windes and Mr. Speaker—76.

NOES—Messrs. Arnold, Ballew, Booth, Boulware, Brown, Chilton, Chitwood, Cock, Coleman, Crowther, Dade, Dale, Davis, Ellis, Hammons, Ingram, Mackey, Mahn, McElvain, Patterson of Schuyler, Pehle, Pepper, Rawlings, Riley, Spring, Swank, Talbot, Warren, Wells, Whitaker and Withers—31.

ABSENT — Messrs. Berryman, Collins, Dawson, Freed, Gray, Gwynne, Hall, Hale, Hubbard, Helm, Maynard, Miles, Moler, Pollock, Powell, Settles, Taylor, Tevis, Waggener, Wisby and Younger—21.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McDaniel, McIntyre, Reynolds, Saunders, Souder and Wiley—11.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 673, entitled An act to appropriate money to rebuild Lunatic Asylum No. 2, at St. Joseph, and to appoint commissioners to superintend the erection of the same, and find the same truly and correctly enrolled; which was read.

House bill No. 673, was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Senate substitute No. 29 for Senate bill No. 55, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bills Nos. 65 and 28, entitled An act to revise and amend an act to provide for the support of the poor; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute for Senate bill No. 285, entitled An act to provide for the filling of vacancies in State and county offices; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

On motion of Mr. Price, the House took a recess until 7 $\frac{1}{2}$ o'clock P. M.

EVENING SESSION.

The hour of recess having expired, the House was called to order.

Speaker Belch in the chair.

Senate substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments; was called up.

Mr. Booth offered the following amendment:

Substitute for section 75 of Senate substitute No. 9 for Senate bill No. 52: "Section 75. Upon such issue the plaintiff shall be held to prove the existence of the facts alleged by him as the ground of the attachment, and if the issue be found for him, the cause shall proceed; but if such issue be found for the defendant, the justice shall thereupon render judgment that the attachment be abated at the cost of the plaintiff and his sureties, the plaintiff may appeal from such judgment at any time within ten days next after the rendition thereof, upon making and filing with the justice an affidavit that his application for an appeal therefrom is not made for vexation or delay, but because the affiant believes that the appellant is aggrieved by such judgment. Such appeal shall operate as a supersedeas of the judgment of abatement, and preserve the lien of the attachment in full force. Upon the rendition of such judgment of abatement, the cause shall proceed as though commenced originally by summons alone. If both the judgment of abatement and the final judgment in the case be appealed from, the whole matter shall be certified to the appellate court in a single transcript, with all the original papers in the cause attached thereto;" which was read.

Mr. Lackland offered the following amendment to the amendment:

Amend by inserting the words, "after the trial upon the merits," after the word, "ten days;" which was read.

On motion of Mr. Davis, the bill with pending amendments, was recommitted to the Committee on Judiciary.

Senate substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of

name; was taken up, with House amendment No. 4, in which the Senate refused to concur.

The question being upon receding from House amendment No. 4; the ayes noes were demanded, and the House receded therefrom by the following vote:

AYES—Messrs. Adams, Berry, Boulware, Brady, Brewer, Bryan, Campbell of Atchison, Chitwood, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Dale, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Finks, Foster, Greer, Hammons, Harrington, Hubbard, Helm, Kendall, Knight, Larimore, Lockhart, Lynn, Mabrey, Mackey, Manistre, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, Organ, Pehle, Phelan, Powers, Price, Ragan, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Windes and Mr. Speaker—57.

NOES—Messrs. Alldridge, Arnold, Ballew, Beckner, Bonham, Booth, Brown, Carleton, Carroll, Chenoweth, Coleman, Crowther, Dade, Davis, Dawson, Diercks, Ellis, Gray, Hayes, Haynes, Harrison, Ingram, Lackland, Lesueur, Louthan, Mahn, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McKill, McKinney, Palmer, Patterson of Schuyler, Pepper, Riley, Smith of Cedar, Spring, Warren, Wells, Weygandt, Whitaker and Withers—42.

ABSENT—Messrs. Andrews, Bashaw, Berryman, Bohannon, Bowman, Burford, Campbell of St. Louis city, Chilton, Cloud, Farr, Freed, Gwynne, Hall, Hale, Harrigan, Johnson, Kneisley, Maynard, Miles, Moler, Mott, O'Malley, Pollock, Pollard, Powell, Rawlings, Settles, Smith of St. Louis city, Waggener, Wisby and Younger—31.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, Reynolds, Saunders, Souder and Wiley—9.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—4.

Substitute for House bills No. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof; was taken up, with Senate amendments No. 1 and 2 thereto.

On motion, the Senate amendments were ordered printed.

Substitute for House bill No. 297, entitled An act to amend section 44 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877; was taken up, with the following Senate amendment:

Amend said House bill by striking out section 2; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan,

Campbell of Atchison, Carleton, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hammons, Harrington, Harrison, Hubbard, Helm, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Ragan, Riley, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Withers and Mr. Speaker—92.

ABSENT—Messrs. Andrews, Bashaw, Berryman, Bohannon, Bowman, Burford, Chilton, Farr, Foster, Freed, Gwynne, Hall, Hale, Haynes, Harrigan, Ingram, Johnson, Kneisley, Lackland, Maynard, Miles, Moler, Morrison, Mott, McCormick of St. Louis city, O'Malley, Pepper, Pollock, Pollard, Powell, Rawlings, Reynolds, Settles, Souder, Smith of St. Louis city, Waggener, Windes, Wisby and Younger—39.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, Saunders and Wiley—7.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

House bill No. 323, entitled An act to revise chapter No. 146 of the General Statutes of Missouri, and all acts amendatory thereto relating to juries; was taken up with the following amendment:

Amend section 27 by adding the following thereto: This section shall apply to cities having over one hundred thousand inhabitants as fully as to other parts of the State; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Berry, Bonham, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Hayes, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Ragan, Riley, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—86.

ABSENT—Messrs. Andrews, Bashaw, Beckner, Berryman, Bohannon, Booth, Bowman, Brady, Burford, Carroll, Chilton, Dade, Dilley, Farr, Foster, Freed, Gray, Greer, Hall, Hale, Haynes, Harrigan, Johnson, Kneisley, Lackland, Manistre, Maynard, Miles, Moler, Mott, O'Malley, Pepper, Pollock, Pollard, Powell, Rawlings, Settles, Souder, Smith of Cedar, Smith of St. Louis city, Vancleve, Waggener, Wisby and Younger—44.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, Reynolds, Saunders and Wiley—8.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

Mr. Wells moved to reconsider the vote by which the amendment was agreed to, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 396, entitled An act to provide a uniform system for cancelling county warrants; was taken up with the following Senate amendments:

Amendment No. 1—Amend section 1 by striking out the word "clerk," where it occurs in the seventh line, and insert the word "court, in his annual settlement," in lieu thereof; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Arnold, Berry, Boulware, Brady, Brewer, Brown, Bryan, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Greer, Hayes, Hammons, Hubbard, Helm, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Powers, Price, Ragan, Riley, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—76.

NOES—Mr. Harrington—1.

ABSENT—Messrs. Alldridge, Andrews, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Bowman, Burford, Campbell of Atchison, Carroll, Chenoweth, Chilton, Craig, Dade, Diercks, Farr, Foster, Freed, Gray, Gwynne, Hall, Hale, Haynes, Harrigan, Harrison, Ingram, Johnson, Kneisley, Lackland, Manistre, Maynard, Miles, Moler, Mott, McCormick of St. Louis city, O'Malley, Pepper, Phelan, Pollock, Pollard, Powell, Rawlings, Settles, Souder, Smith of St. Louis city, Vancleve, Waggener, Wiley and Younger—52.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McDaniel, Reynolds, Saunders and Wisby—9.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

Amendment No. 2—Amend section 2 by striking out the word “clerk,” in the second line, and insert the word “court” in lieu thereof; and by inserting in the fourth line, after the word “said,” these words: “Court to cause the county;” and also amend by striking out lines 6 and 7 of said section; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Ballew, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Ellis, Ewing, Finks, Greer, Hayes, Hammons, Harrison, Hubbard, Helm, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powers, Price, Ragan, Riley, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—79.

NOES—Messrs. Alldridge and Pehle—2.

ABSENT—Messrs. Andrews, Arnold, Bashaw, Beckner, Berryman, Bohannon, Bowman, Burford, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chilton, Dade, Dilley, Drum, Farr, Foster, Freed, Gray, Hale, Gwynne, Hall, Hale, Haynes, Harrigan, Harrington, Ingram, Johnson, Lackland, Kneisley, Manistre, Maynard, Miles, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Pollock, Pollard, Powell, Rawlings, Settles, Smith of St. Louis city, Van-cleve, Waggener, Warren, Wisby and Younger—48.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Hynes, McDaniel, Reynolds, Saunders, Souder and Wiley—10.

SICK—Messrs. Creager, Ham Patterson of Linn and Tiernan—4.

Mr. Powers moved to reconsider the vote by which the House concurred in Senate amendment No. 2; which was agreed to.

Mr. Davis offered the following amendment to the amendment:

Amend Senate amendment No. 2 by striking out the words “second line,” and insert in lieu thereof the words “first line;” which was read and agreed to.

The Senate amendment as amended, was then read and concurred in by the following vote:

AYES—Messrs. Adams, Ballew, Berry, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton,

Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Greer, Hayes, Hammons, Harrington, Harrison, Helm, Kendall, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Powers, Price, Ragan, Smith of Cedar, Spring, Swank, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Withers and Mr. Speaker—80.

ABSENT—Messrs. Alldridge, Andrews, Arnold, Bashaw, Beckner, Berryman, Bohannon, Bowman, Burford, Carroll, Chilton, Collins, Crowther, Dade, Dawson, Drum, Farr, Foster, Freed, Gray, Gwynne, Hall, Hale, Haynes, Harrigan, Hubbard, Ingram, Johnson, Kneisley, Lackland, Manistre, Maynard, Miles, Moler, Mott, McCormick of St. Louis city, O'Malley, Pollock, Pollard, Powell, Rawlings, Riley, Settles, Smith of St. Louis city, Talbot, Vancleve, Waggener, Wisby and Younger—49.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, Reynolds, Saunders, Souder and Wiley—9.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-FOURTH DAY—THURSDAY, May 1, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Taylor moved to reconsider the vote by which the House receded from House amendment No. 4, to Senate bill No. 231 ; which was agreed to.

Mr. Davis moved that the House insist upon its amendment; which was agreed to.

Mr. Taylor moved that a Committee of Conference, consisting of three members, be appointed by the Speaker to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendment No. 4 to Senate bill No. 231; which was agreed to.

The Speaker appointed as said committee, on the part of the House, Messrs. Taylor, Haynes and Wells.

Senate bill No. 290, entitled An act to amend section No. 32 of an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Leave of absence was granted Mr. Finks until 12 o'clock M.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—124.

Leave of absence was granted Mr. Bowman for 7 days.

Substitute for House bill No. 456, entitled An act to regulate warehouses and the storage of grain in warehouses, and to prevent fraud in grain; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Dale, Diercks, Drum, Ellis, Ewing, Farr, Freed, Gray, Greer, Hayes, Hale, Harrison, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Louthan, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McKill, Organ, Palmer, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Whitaker, Windes, Wisby, Withers and Younger—83.

NOES—Messrs. Ballew, Bonham, Booth, Bowman, Campbell of St. Louis city, Carroll, Cooper, Craig, Creager, Crow, Crowther, Dade, Davis, Dawson, Dilley, Dodson, Dougherty, Dryden, Foster, Gwynne, Hammons, Harrigan, Harrington, Hubbard, Ingram, Lockhart, Lynn, Maynard, Miles, McGarry, McIntyre, McKinney, O'Malley, Pehle, Phelan, Pollock, Ragan, Smith of St. Louis city, Weygandt and Wiley—40.

ABSENT—Messrs. Andrews, Carleton, Finks, Hall, Haynes, Kendall, Settles, Taylor, Waggener and Mr. Speaker—10.

ABSENT WITH LEAVE—Messrs. Burrows, Cowan of Christian, Hynes, McDaniel, McElvain, Souder and Saunders—7.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed.

Mr. Davis moved to lay the motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee appointed to consider substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State; which was read.

Mr. Lackland, from the Committee of Conference on Senate substitute for Senate bill No. 162, submitted the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the gen-

eral laws of this State, beg leave to report that they have considered the same, and recommend that the Senate adopt House amendment No. 1, which as follows, viz.:

No. 1—Strike out the words “by limitation the same as if this act had not been passed” in lines 22 and 23, printed bill.

Your committee further recommend the adoption of the following substitute for House amendment No. 2:

Amend section 1 by adding thereto the following: Nor shall any railroad company be entitled to the provisions of this act until it shall have filed, with the Secretary of State, an unconditional release, duly executed and acknowledged by the proper officer or officers of such company, discharging all individuals, counties, towns, cities, townships and parts of townships, from all stock or aid subscribed, voted or promised, in aid of the construction or maintenance of such railroad, in the counties through which said company may fail to complete its road by the 29th day of June, 1879.

Your committee further recommend that the House adopt the emergency clause of the bill, passed by the Senate, which is as follows:

Sec. 2. And whereas, the time in which divers railroad companies organized under the general laws of this State, are required to finish and put in operation their respective roads, will expire within ninety days after adjournment of the present session of the General Assembly, leaving such roads partially completed; therefore, an emergency exists which requires that this act should go into immediate effect; and therefore this act shall take effect and be in force from and after its passage.

Which was read.

The question being upon the adoption of the report, the roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Knight, Lackland, Larimore, Lesueur, Louthan, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, Organ, Patterson of Schuyler, Pehle, Phelan,

Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Withers and Younger—106.

NOES—Messrs. Alldridge, Brown, Craig, Creager, Dade, Dale, Hale, Hammons, Kneisley, McCormick of St. Louis city, McKinney, O'Malley, Palmer and Whitaker—14.

ABSENT—Messrs. Andrews, Bashaw, Beckner, Chitwood, Farr, Hall, Haynes, Ingram, Kendall, Pepper, Powell, Spring, Talbot and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Burrows, Cowan of Christian, Hynes, McElvain, Souder and Saunders—6.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

Pending the discussion on the adoption of the emergency clause recommended by the Committee of Conference,

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The house was called to order.

Speaker *pro tem.*, Campbell in the chair.

On motion of Mr. Knight, seconded by ten members, a call of the House was ordered, when the following members answered to their names:

Messrs. Adams, Alldridge, Anderson, Arnold, Ballew Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby, Withers and Younger—117.

On motion of Mr. Cox, the further proceedings under a call of the House was dispensed with.

The House resumed the consideration of the emergency clause to Senate substitute for Senate bill No. 162, recommended by the Committee of Conference, pending at the hour of recess.

The question being upon the adoption of the emergency clause, the roll was called and the emergency clause was adopted by the following vote :

AYES—Messrs. Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Freed, Greer, Gwynne, Hale, Harrigan, Harrington, Hubbard, Helm, Johnson, Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McGarry, McIntyre, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley, Windes, Wisby, Withers, Younger and Mr. Speaker—100.

NOES—Messrs. Adams, Alldridge, Beckner, Brown, Burford, Collins, Craig, Dade, Dale, Gray, Hayes, Hammons, Haynes, Harrison, Ingram, Kneisley, McCormick of Washington, McCormick of St. Louis city, McKill, McKinney, O'Malley, Powell, Price, Warren and Whitaker—25.

ABSENT—Messrs. Andrews, Bowman, Chitwood, Creager, Farr, Hall, Pepper, Rawlings and Swank—9.

ABSENT WITH LEAVE—Messrs. Burrows, Cowan of Christian, Hynes, McElvain, Souder and Saunders—6.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

Mr. Cloud moved to reconsider the vote by which the emergency clause was adopted.

Mr. Taylor moved to lay the motion to reconsider on the table ; which was agreed to.

The following message was received from the Senate through its Assistant Secretary, Mr. W. H. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution :

WHEREAS, It appears that the word "responsible," where it appears in section 10 of an original bill, entitled Substitute for Senate bills Nos. 86 and 207, an act to revise and amend title 4 of chapter 10 of the General Statutes of Missouri, concerning the Treasury Department, as ordered engrossed by the Senate, was omitted from said bill by the Engrossing Clerk of the Senate; therefore, be it

Resolved by the Senate the House consenting thereto, That the Secretary of the Senate be instructed to insert the word "responsible," between the words "held" and "for," where the same appears in section 10 of the above bill, so that the same shall read as follows:

Sec. 10. The sureties of any Treasurer or Auditor shall be held *responsible* for all acts of their principal, until his successor is elected or appointed, commissioned and qualified, and request the immediate action and concurrence of the House thereon and in; which was read.

Mr. Farr offered the following resolution:

Resolved, That the resolution adopted by the Senate, and reported by this House by the Secretary, in reference to section 10 of an original bill, entitled Substitute for Senate bills Nos. 86 and 207, be and the same is hereby concurred in by this House; which was read and adopted.

Mr. Warren moved to reconsider the vote by which House bill No. 461 failed to pass on Tuesday, April 29; which was agreed to.

House bill No. 461, entitled An act for the relief and benefit of S. W. Smith and J. R. Jones of Benton county; was taken up.

The question being upon the passage of the bill, the roll was called and the bill passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Bryan, Burford, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cox, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hammons, Harrigan, Harrington, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Younger and Mr. Speaker—98.

NOES—Messrs. Alldridge, Brown, Campbell of Atchison, Cloud, Cooper, Craig, Crow, Dade, Ellis, Gray, Hale, Harrison, Ingram,

Knight, Mudd of Lincoln, McCormick of Washington, Pepper, Powell and Withers—19.

ABSENT—Messrs. Andrews, Arnold, Ballew, Beckner, Booth, Bowman, Brewer, Campbell of St. Louis city, Cowan of Holt, Creager, Haynes, Louthan, Pollard, Swank and Wiley—15.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McDaniel, McElvain, Souder and Saunders—8.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 638, entitled An act to appropriate money; was called up, read the third time and passed by the following vote:

AYES—Messrs. Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Crowther, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes and Wisby—103.

NOES—Messrs. Alldridge, Ballew, Beckner, Ingram, McKinney, Powell, Withers and Younger—8.

ABSENT—Messrs. Adams, Andrews, Boulware, Bowman, Burford, Carroll, Cloud, Cowan of Holt, Creager, Dale, Hall, Haynes, Harrigan, Harrington, Miles, Mudd of St. Louis, McCormick of St. Louis city, Reynolds, Swank, Wells, Whitaker and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McElvain, Souder and Saunders—7.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth,

Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Crow, Crowther, Dale, Dade, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—111.

NOES—Messrs. Alldridge, Beckner, Gray, Ingram, McKinney and Whitaker—6.

ABSENT—Messrs. Adams, Berryman, Boulware, Bowman, Burford, Cowan of Holt, Creager, Haynes, Harrigan, Moler, Powell, Smith of Cedar, Vancleve, Wells, Withers and Younger—16.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McElvain, Souder and Saunders—7.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute in part for Senate bills Nos. 69, 51, 214, and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15th, 1877 ;

Also, substitute No. 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259, entitled An act revising and amending the laws relating to public schools ;

Also, substitute No. 13 for Senate bill 82, entitled An act to revise and amend chapter 95, General Statutes, concerning auctioneers and their licenses ; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House-

amendments to substitute for Senate bills Nos. 86 and 207, entitled An act to revise and amend title 4 of chapter 10, of the General Statutes of the State of Missouri, concerning the treasury department, and have concurred in Nos. 1, 3, 4, 6, 8, 9, 10 and 12, and have refused to concur in amendments Nos. 25, 7, 11, 13, 14, 15, 16 and 17, which are as follows :

Amendment No. 2—Strike out the words “in unincumbered real estate within the State of Missouri,” in lines 21 and 22 of section 4 of printed bill.

Amendment No. 5—Add to section 10 of printed bill, the following: “Or until a new bond is given and approved by the Governor, as in this act provided.”

Amendment No. 7—Strike out in lines 4 and 5 of section 35 of printed bill, the words, “and the amount of money loaned on which taxes are paid.”

Amendment No. 11—Strike out in line 2 of section 42 of printed bill the word “fifth,” and insert the word “tenth,” also strike out the 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th lines of section 43, and insert the following: “And upon proof of any such offense, said officer shall forfeit his office, and the Attorney-General shall take immediate steps, under the direction of the Governor, to have said officer removed by quo warranto proceeding in the Supreme Court.”

Amendment No. 13—Strike out sections 6, 9, 70 and 71.

Amendment No. 14—Strike out section 73 of printed bill.

Amendment No. 15—Strike out the word “paid,” in line 7, of section 76 of printed bill, and insert the words “provided for.”

Amendment No. 16—Strike out section 85 of printed bill.

Amendment No. 17—Strike out the words “fund commissioners,” in line 1 of section 86, and insert the words “Governor and Attorney-General;” and respectfully request the House to recede therefrom; which was read.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report :

MR. SPEAKER: The Joint Committee on Revision, to whom was referred Senate substitute for Senate bill No. 73, entitled An act to revise chapter 176 to 186, inclusive, regulating the jurisdiction and procedure before justices of the peace in civil cases, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute for Senate bill No. 73, was taken up with the following amendments, recommended by the Joint Committee on Revision :

Amendment No. 1—Amend section 31, by inserting after the word “court,” in line 4, the words “or if in the city of St. Louis, to the city register ;” which was read and agreed to.

Amendment No. 2—Amend section 32, by inserting after the word “court,” in line 1, the words “or city register,” and also by inserting after the word “township,” in line 5, the words “or district ;” which was read and agreed to.

Amendment No. 3—Amend section 46, by inserting in line 8, after the word “township,” the words “or districts ;” which was read and agreed to.

Amendment No. 4—Amend section 59 by striking out after the word “years” in line 8, the word “but,” and inserting in lieu thereof the words “provided that ;” and by adding at the end of the section the following words : “Or, fourth, where the defendant (not being a railroad corporation) is a corporation or joint stock company organized under the laws of this or any other State or country, and having an office or doing business in this State, by delivering a copy of the writ to any agent of such corporation or company in charge of any office or place of business, then to any agent or employe in any county or city where such service may be obtained ;” which was read and agreed to.

Amendment No. 5—Amend section 169 by striking out the words “discretion of the justice” at the end of the section, and inserting in lieu thereof the words “option of the adverse party ;” which was read and agreed to.

Amendment No. 6—Amend section 206 by adding the following words at the end of the section : “Provided, that no judgment shall be revived after the lapse of twenty years from the rendition thereof, or from the date such judgment may have been revived as hereinbefore provided ;” which was read and agreed to.

Amendment No. 7—Amend section No. 8 by striking out the word “county,” in line 3, and inserting the word “probate” in lieu thereof ; which was read and agreed to.

Amendment No. 8—Amend section 213 by inserting the word “ninety” after the word “within” in the next to the last line of said section ; which was read and agreed to.

Amendment No. 9—Amend section 215, line 4, by inserting after the word “costs” the words “as in this section provided ;” and by adding at the end of the section the following : “And every fee bill and *heri facias* issued by any justice shall have written or printed thereon a true statement of each and every item of all the taxable costs in the case ; and over against each item so stated there shall be set the amount of money taxed thereunder, and when the same shall

come to the hands of any officer authorized by law to enforce the collection thereof, he shall also itemize all the costs to be added thereto by him for his own services. Every justice of the peace issuing a fee bill or writ of *hieri facias* in violation of the provisions of this act, and any officer undertaking to collect money thereon without having himself complied with the provisions of this act concerning himself, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit his office; which was read and agreed to.

Amendment No. 10—Amend section 239 by striking out all between the word “trial,” in line 8, and the word “but,” in line 12; which was read and agreed to.

Amendment No. 11—Amend by adding a new section, to known as section 263, as follows: Section 263. In every case where by this act, power or jurisdiction is given to, or the performance of any duty is imposed upon any officer in a county or township, the same power and jurisdiction shall be held to be given to, and the performance of the same duties shall be held to be imposed upon the like officer or officers in any city not within a county or any district in such city, and all forms of process and procedure prescribed by this act shall be so modified as occasion may require, as to conform to the exigencies of this section; which was read and agreed to.

Amendment No. 12.—Amend section 263 by striking out the figures “263,” and inserting in lieu thereof “264;” which was read and agreed to.

Mr. Taylor offered the following amendment:

Amend section 212, line 4 of printed bill, by striking out the word “ninety,” and insert the word “sixty” in lieu thereof; which was read and not agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds,

Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—107.

NOES—Messrs. Beckner, Dade, Louthan, Powell, Rawlings and Younger—6.

ABSENT—Messrs. Andrews, Bohannon, Bonham, Bowman, Brady, Campbell of Atchison, Carroll, Chenoweth, Cock, Collins, Creager, Freed, Harrigan, Kendall, Knight, Maynard, Smith of St. Louis city, Tevis and Vancleve—19.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McElvain, Souder, Saunders and Wells—8.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. McDaniel moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 57 and 108, entitled An act to revise and amend title 30 of the General Statutes of the State of Missouri, concerning voluntary assignments; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Spring, Swank, Talbot, Taylor, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—103.

NOES—Messrs. Beckner, Davis, Ingram, Pepper and Younger—5.

ABSENT—Messrs. Andrews, Bonham, Bowman, Brady, Campbell of Atchison, Carroll, Cock, Collins, Creager, Dade, Hale, Harrigan, Kendall, Kneisley, Knight, Maynard, Moler, McKinney, Powell, Smith of Cedar, Smith of St. Louis city, Tevis, Turner, Vancleve and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Hynes, McElvain, Saunders and Souder—7.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Brewer, Brown, Bryan, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—102.

NOES—Messrs. Beckner, Davis, Powell and Younger—4.

ABSENT—Messrs. Andrews, Bonham, Boulware, Brady, Burford, Campbell of Atchison, Carroll, Cock, Collins, Dade, Harrigan, Harrington, Kendall, Kneisley, Knight, Mackey, Maynard, Miles, Moler, McElvain, McKinney, Smith of St. Louis city, Vancleve, Wells and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Hynes, Souder and Saunders—7.

SICK—Messrs. Campbell of St. Louis city, Creager, Ham, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted to Mr. Wells for the balance of the afternoon.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate substitute for Senate bill No. 285, entitled An act to provide for the filling of vacancies in State and county offices, beg

leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 285; was taken up.

Mr. Alldridge offered the following amendment:

Strike out all the words after the word "election," in third line of printed bill, to the word "such," in the fifth line of printed bill of section No. 1; which was read and not agreed to.

Mr. Wells offered the following amendment:

Amend section 1 by adding before the word "sheriff," in line 5 of the printed bill, the words, "county collector, county treasurer, county assessor;" which was read and agreed to.

Mr. Alldridge offered the following amendment:

Strike out all of section 3 printed bill; which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Ballew, Beckner, Berry, Bohannon, Brewer, Burford, Campbell of Atchison, Cloud, Cook, Cooper, Cowan of Holt, Craig, Crowther, Dade, Dale, Dougherty, Ellis, Gray, Hall, Haynes, Harrison, Ingram, Johnson, Kendall, Larimore, Lockhart, Mabrey, Manistre, Miles, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McGarry, McKinney, Palmer, Pepper, Pollard, Powell, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Warren, Whitaker, Withers and Younger—50.

NOES—Messrs. Anderson, Arnold, Bashaw, Berryman, Booth, Boulware, Brady, Brown, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cox, Crow, Dawson, Dodson, Drum, Dryden, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hale, Hammons, Harrigan, Harrington, Hubbard, Helm, Kneisley, Lackland, Lesueur, Lynn, Mackey, Mahn, Moler, McCormick of St. Louis city, McDaniel, McIntyre, McKill, O'Malley, Organ, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Ragan, Riley, Settles, Swank, Taylor, Tevis, Waggener, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—68.

ABSENT—Messrs. Andrews, Bonham, Collins, Davis, Diercks, Dilley, Freed, Knight, Louthan, Maynard, Mudd of Lincoln, McElvain, Smith of St. Louis city, Turner and Vancleve—15.

ABSENT WITH LEAVE—Messrs. Bowman, Burrows, Cowan of Christian, Hynes, Saunders and Souder—6.

SICK—Messrs. Creager, Ham, Patterson of Linn and Tiernan—7.

Leave of absence was granted Mr. Foster for four days.

Mr. Burford offered the following amendment:

Amend the emergency clause by striking out the word "immediate," in the fourth line, and insert "ten days after its passage," in fifth line after the word "act;" which was read.

Pending the consideration of the amendment,

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-FIFTH DAY—FRIDAY, May 2, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Knight, the further reading was dispensed with.

Mr. Knight offered the following resolution :

WHEREAS, The National Greenback Labor party of Missouri hold their State conference at this city, on Tuesday, May the 6th, 1879; therefore, be it

Resolved, That we, the Representatives of the 30th General Assembly, grant them the use of the Hall of the House of Representatives on the night of said day, May 6th, 1879; which was read and adopted.

Mr. Cowan of Holt offered the following resolution :

Resolved, That the various committees to whom revised bills have been referred, be instructed to report such bills before reporting House bills.

Resolved, That the Chief Clerk be instructed, whenever it is deemed necessary, to call the roll of the committees to whom revised bills have been referred, to which call the chairman of each committee shall respond, and shall state to the House the numbers and status of the revised bills before his committee; which was read and adopted.

Mr. Ham and Mr. Burrows were reported sick at home.

Mr. Burford offered the following resolution :

Resolved, That the House dispense with the services of Chaplain after the 7th of the present month ; which was read.

Mr. Arnold moved to lay the motion on the table ; which was agreed to.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER : Your Committee on Enrolled Bills would respectfully report that they have carefully examined substitute for House bill No. 297, entitled An act to amend section 44 of an act dividing the State into judicial circuits, providing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28th, 1877, and find the same truly and correctly enrolled ; which was read.

Substitute for House bill No. 297 was taken up, read at length by the Clerk, and signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Pehle presented a remonstrance from citizens of Franklin county, praying the Legislature not to pass the bell-punch law ; which was read, and on motion, referred to the Committee on Ways and Means.

The House resumed the consideration of Senate substitute for Senate bill No. 285, entitled An act to provide for the filling of vacancies in State and county offices, pending at the hour of adjournment yesterday, the question being upon agreeing to the amendment offered by Mr. Burrows.

Mr. Lesueur moved that the bill with pending amendment, be re-committed to the Committee on Judiciary.

The ayes and noes being demanded, the motion to recommit prevailed by the following vote :

AYES—Messrs. Arnold, Bashaw, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ewing, Finks, Gwynne, Hayes, Hammons, Hubbard, Helm, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Patterson of Schuyler, Phelan, Pollock, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Swank, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—76.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Burford, Cloud,

Cooper, Crowther, Dade, Ellis, Freed, Gray, Greer, Hale, Haynes, Harrington, Harrison, Ingram, Johnson, Kendall, Knight, Manistre, Maynard, Morrison, Mott, McKinney, Palmer, Pehle, Pepper, Powell, Rawlings, Reynolds, Smith of Cedar, Spring, Talbot, Whitaker, Withers and Younger—44.

ABSENT—Messrs. Bowman, Brown, Dilley, Farr, Hall, Harrigan, Larimore, Mabrey, Mudd of St. Louis and Pollard—10.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Foster, Hynes, McDaniel, McElvain, McIntyre and Souder—10.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

Leave of absence was granted Mr. Taylor for three days.

Leave of absence was granted Mr. Larimore for four days.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills to whom was referred House bill No. 586, entitled An act to amend section one of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredations by mining operations, approved April 21, 1877, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute for Senate bills Nos. 65 and 287 was taken up with the following amendment recommended by the Committee on Ways and Means:

Amend by striking out sections 14, 15, 16 and 17; which was read and agreed to.

The bill as amended was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson,

Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Gray, Greer, Gwynne, Hayes, Hammons, Haynes, Harrigan, Harrison, Hubbard, Helm, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Miles, Morrison, Mott, Mudd of St. Louis, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Wells, Weygandt, Wiley, Wisby and Withers—102.

NOES—Messrs. Bohannon, Bonham, Dade, Finks, Hale, Ingram, Johnson, McKinney, Pehle, Pepper, Vancleve, Whitaker, Windes and Younger—14.

ABSENT—Messrs. Andrews, Berryman, Booth, Bowman, Burford, Dilley, Hall, Harrington, Larimore, Powell, Maynard, Ragan, Warren and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Anderson, Burrows, Cowan of Christian, Dryden, Foster, Hynes, McDaniel, McElvain, McIntyre and Souder—10.

SICK—Messrs Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville Education Society;

Also, that there has been introduced into and passed the Senate, Senate bill No. 318, entitled An act to provide for the appointment of an agent to prosecute to settlement all claims due the State of Missouri by the United States government, in which the concurrence of the House is respectfully requested; which was read.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names;

Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Burrows, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed,

Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby, Withers and Younger—123.

Mr. Gwynne moved to reconsider the vote by which Senate bill No. 299 failed to pass on Tuesday, April 30th; which was agreed to.

Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts in counties having a population of over fifty thousand; was taken up.

The question being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chilton, Chitwood, Cloud, Collins, Cook, Cowan of Holt, Cox, Crow, Davis, Dawson, Dille, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Gwynne, Hayes, Hammons, Harrigan, Harrington, Hubbard, Helm, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McGarry, McKill, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Warren, Weygandt, Wiley, Windes, Wisby and Younger—83.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Burford, Chenoweth, Cock, Coleman, Cooper, Craig, Creager, Crowther, Dade, Dale, Diercks, Hale, Haynes, Harrison, Ingram, Johnson, Miles, McKinney, Patterson of Schuyler, Powell, Riley, Talbot, Turner, Wells, Whitaker and Withers—30.

ABSENT—Messrs. Boulware, Greer, Hall, Kendall, Mabrey, Moler, McCormick of Washington, McCormick of St. Louis city, Pollard, Settles, Swank, Tevis, Vancleve, Waggener and Mr. Speaker—15.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan, of Christian, Dryden, Foster, Hynes, Larimore, McDaniel, McElvain, McIntyre and Souder—12.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 86 and 207, entitled Acts to revise title 4, chapter 10 of the General Statutes of Missouri, concerning the Treasury Department; was taken up.

Mr. Davis offered the following resolution:

WHEREAS, House amendment No. 13 to substitute for Senate bills Nos. 86 and 207, was improperly certified to the Senate, as striking out sections 6, 9, 70 and 71, when it should have been certified as striking out sections 69, 70 and 71; therefore,

Resolved, That the Chief Clerk be instructed to certify said amendment properly to the Senate, and that the Senate be asked to concur therein, and that the bill be returned to the Senate; which was read and adopted.

Leave of absence was granted to Mr. Lesueur for three days.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was re-committed substitute No. 9 for Senate bill No. 52, being an act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

Senate substitute No. 9 for Senate bill No. 52; was taken up with the following amendment recommended by the Committee on Judiciary:

Amendment No. 2—Amend by striking out section 75 of bill and insert in lieu thereof as follows:

Section 75. Upon such issue the plaintiff shall be held to prove the existence of the facts alleged by him as the ground of the attachment, and if the issue be found for him the cause shall proceed upon the attachment, but if such issue be found for the defendant, the justice shall make an order that the attachment be abated at the cost of the plaintiff and his sureties, and thereupon the cause shall proceed as if commenced originally by summons alone. If either party appeal from the final judgment in the cause, the court having jurisdiction of such appeal shall hear and determine the

whole matter as well upon the plea in abatement as upon the merits *de novo*, and the lien of the attachment shall, in case of such appeal, continue unaffected by the order of abatement made by the justice; which was read and agreed to.

The bill as amended was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Kendall, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Rawlings, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Withers and Younger—96.

NOES—Messrs. Ingram, Johnson and McKinney—3.

ABSENT—Messrs. Arnold, Beckner, Berryman, Burford, Carleton, Carroll, Chitwood, Coleman, Crowther, Dade, Dawson, Gray, Haynes, Kneisley, Maynard, Miles, McCormick of St. Louis city, McGarry, Pollock, Ragan, Saunders, Settles, Swank, Tevis, Vancleve, Waggener, Wiley and Mr. Speaker—28.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Dryden, Foster, Hynes, Larimore, McElvain, McDaniel, McIntyre and Souder—12.

SICK—Messrs. Campbell of St. Louis city, Ham, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 453, entitled An act to amend section 32, chapter 27 of General Statutes of Missouri, entitled of county surveyors, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 453; was taken up with the substitute recommended by the Committee on Judiciary.

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Senate joint and concurrent resolution No. 20, entitled Joint and concurrent resolution, instructing our Senators and requesting our Representatives in Congress to vote for and support by all honorable influences the bills now pending before Congress for the repeal of the Federal election laws of May 31, 1870, and acts amendatory of February 28th, 1871, and June 10, 1872, known as the Federal supervising election laws; was called up and read the first time.

Senate bill No. 333, entitled An act to revise and amend the laws in relation to the assessment of railroad property and the collection of taxes thereon; was called up and read the first time.

Senate bill No. 358, entitled an act concerning executions; was called up and read the first time.

Senate bill No. 362, entitled An act in relation to courts of common pleas; was called up and read the first time.

Senate substitute for Senate bill No. 58, entitled An act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices, and other matter; was called up and read the first time.

Senate substitute in part for Senate bills Nos. 69, 51, 214 and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15th, 1877; was called up and read the first time.

Senate substitute No. 13 for Senate bill No. 82, entitled An act to revise and amend chapter 95 of the General Statutes of the State of Missouri, concerning auctioneers and their licenses; was called up and read the first time.

Senate substitute for Senate bill No. 95, entitled An act to amend sections 1 and 7 of chapter 85 of the General Statutes of 1865, concerning coroners and inquests on the dead; was called up and read the first time.

Senate substitute No. 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259, entitled An act revising and amending the laws relating to public schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act; was called up and read the first time.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred House bill No. 303, entitled An act to provide for the levy of a poll tax, beg leave to report that they have considered the same, and recommend that it do not pass ; which was read.

House bill No. 303 ; was taken up.

Mr. Wells moved that the bill be laid on the table ; which was agreed to.

Mr. Lackland moved to reconsider the vote by which the bill was laid on the table ; which was not agreed to.

House bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredations by mining operations, approved April 21, 1877 ; was called up, read the third time, and passed by the following vote :

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Dade, Dawson, Diercks, Dodson, Dougherty, Ewing, Farr, Finks, Gray, Gwynne, Hayes, Hall, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Lackland, Lesueur, Mabrey, Mackey, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Rawlings, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Waggener, Warren, Wells, Whitaker and Withers—84.

NOES—Messrs. Adams, Bonham, Chitwood, Cowan of Holt, Dale, Drum, Ellis, Freed, Hale, Lockhart, Mahn, Maynard, Morrison, Mott, Patterson of Schuyler, Pehle, Swank, Turner, Weygandt and Younger—20.

ABSENT—Messrs. Boulware, Burford, Carroll, Coleman, Crowther, Davis, Dilley, Greer, Harrigan, Ingram, Kendall, Kneisley, Knight, Larimore, Louthan, Lynn, Miles, Pollock, Reynolds, Settles, Van-cleve, Wiley, Windes, Wisby and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Dryden, Foster, Hynes, McDaniel, McElvain, McIntyre and Souder—11.

SICK—Messrs. Ham, Patterson of Linn and Tiernan—3.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Senate bill No. 362, entitled An act in relation to courts of common pleas ; was called up and read the first time.

Senate substitute for Senate bill No. 58, entitled An act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matter ; was called up and read the first time.

Mr. Mott moved to reconsider the vote by which House bill No. 568 was ordered to engrossment and printing ; which was agreed to.

On motion, the bill was recommitted to the St. Louis delegation.

House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Arnold, Bashaw, Berry, Bohannon, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cox, Creager, Crow, Crowther, Dale, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Helm, Johnson, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Ragan, Rawlings, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Warren, Wells, Weygandt, Windes and Younger—84.

NOES—Messrs. Andrews, Beckner, Cooper, Craig, Dade, Diercks, Drum, Harrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McKill, McKinney, Organ, Pepper, Powell, Whitaker and Withers—18.

ABSENT—Messrs. Ballew, Berryman, Bonham, Burford, Cloud, Cowan of Holt, Davis, Gwynne, Harrigan, Hubbard, Ingram, Knight, Lynn, Mudd of St. Louis, McElvain, McGarry, Pollock, Pollard, Riley, Settles, Tevis, Vancleve, Wiley, Wisby and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cowan of Christian, Dryden, Foster, Hynes, Larimore, McDaniel, McIntyre, Souder, and Taylor—11.

SICK—Messrs. Burrows, Campbell of St. Louis city, Ham, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table ; which was agreed to.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Mr. Lesueur in the chair.

Mr. Carleton introduced concurrent resolution, entitled Concurrent resolution to amend and approve the report of the committee appointed by Governor John S. Phelps to settle with the State Auditor, State Treasurer, and to examine into the condition and affairs of the office of Register of Lands, etc.; which was read the first time and laid over.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 698, entitled An act to amend chapter 117 of the General Statutes, concerning masters, apprentices and servants, by adding a new section, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 698; was taken up.

Mr. Wiley offered the following amendment:

Amend by striking out the word "twelve," and insert the word "thirteen" in lieu thereof; which was read.

Mr. Riley moved to lay the amendment on the table; which was not agreed to.

The question recurring upon agreeing to the amendment; it was not agreed to.

On motion, the bill was ordered engrossed and printed.

Leave of absence was granted Mr. Tevis for five days, on account of sickness in his family.

Mr. Knight was reported sick.

Mr. Gwynne, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 253, entitled An act to amend section 2 of an act entitled to provide for a branch recorder's office in Jackson county, Missouri, approved March 22, 1873, beg leave to report that they have considered the same, and report the same to the House without recommendation; which was read.

Senate bill No. 253; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrison, Hubbard, Helm, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Ragan, Rawlings, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Weygandt, Whitaker, Wiley, Windes, Wisby and Withers—94.

NOES—Messrs. Dade, Diercks and Pepper—3.

ABSENT—Messrs. Berryman, Burford, Collins, Dale, Davis, Dilley, Dodson, Harrington, Ingram, Kendall Lackland, Louthan, Maynard, Miles, Mudd of St. Louis, McKinney, O'Malley, Pollock, Pollard, Saunders, Swank, Vancleve, Waggener, Wells, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Souder, Taylor and Tevis—15.

SICK—Messrs. Campbell of St. Louis city, Ham, Patterson of Linn, Knight and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Harrigan for three days.

House bill No. 680, entitled An act to regulate the practice of medicine and surgery in Pemiscot county; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Andrews, Arnold, Ballew, Boulware, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Chilton, Chitwood, Coleman, Cox, Crow, Dawson, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hale, Helm, Johnson, Kneisley, Lesueur, Mabrey, Mahn, Morrison, McCormick of Washington, McCormick of St. Louis city, McGarry, McKinney, O'Malley, Organ, Patterson of Schuyler, Phelan, Powell, Powers, Ragan, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Younger—56.

NOES—Messrs. Adams, Alldridge, Beckner, Berry, Bohannon, Bonham, Brown, Cloud, Cock, Cook, Cooper, Cowan of Holt, Craig, Creager, Crowther, Dade, Diercks, Dodson, Dougherty, Farr, Hammons, Haynes, Harrington, Harrison, Hubbard, Ingram, Lockhart, Louthan, Lynn, Mackey, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, McKill, Palmer, Pehle, Pepper, Pollard, Price, Riley, Smith of Cedar and Withers—44.

ABSENT—Messrs. Bashaw, Berryman, Booth, Burrows, Carroll, Chenoweth, Collins, Dale, Davis, Dilley, Hayes, Hall, Kendall, Lackland, Miles, Mudd of St. Louis, McElvain, Pollock, Rawlings, Saunders, Swank, Vancleve, Waggener, Wiley and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McIntyre, Souder, Taylor and Tevis—13.

SICK—Messrs. Campbell of St. Louis city, Ham, Knight, Patterson of Linn and Tiernan—5.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri, in which the concurrence of the House is respectfully requested; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 2 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapter 7 of the General Statutes of the State of Missouri, concerning the custody, publication and distribution of the laws and journals, etc., in which the concurrence of the House is respectfully requested; which was read.

House bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hammons, Harrington, Harrison, Hub-

bard, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Wells, Whitaker, Wisby, Withers and Younger—98.

ABSENT—Messrs. Berryman, Collins, Dale, Davis, Dawson, Dilley, Hall, Hale, Haynes, Helm, Kendall, Miles, Moler, Mudd of St. Louis, Pollock, Rawlings, Saunders, Swank, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Souder, Taylor and Tevis—15.

SICK—Messrs. Campbell of St. Louis city, Ham, Knight, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. Finks moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 360, entitled An act to amend sections one and two of an act entitled an act to provide for a uniform system of county courts, approved April 27, 1877; was called up, read the third time and failed to pass by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Berry, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Cock, Cook, Creager, Crowther, Dade, Diercks, Dougherty, Ellis, Ewing, Farr, Freed, Gray, Greer, Hayes, Hall, Hammons, Haynes, Harrington, Ingram, Johnson, Kendall, Kneisley, Lackland, Lesueur, Mackey, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McKinney, Pehle, Pepper, Pollard, Powell, Rawlings, Settles, Spring, Talbot, Weygandt, Wisby and Withers—55.

NOES—Messrs. Bashaw, Bohannon, Bonham, Brady, Chenoweth, Chitwood, Cloud, Coleman, Cooper, Cowan of Holt, Cox, Craig, Crow, Dawson, Dodson, Drum, Finks, Gwynne, Harrison, Hubbard, Helm, Lockhart, Lynn, Mahn, Moler, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Swank, Turner, Warren, Wells and Younger—44.

ABSENT—Messrs. Arnold, Beckner, Berryman, Burford, Campbell of St. Louis city, Carroll, Collins, Dale, Davis, Dilley, Hale, Louthan, Mabrey, Maynard, Miles, Mudd of St. Louis, Pollock, Saunders, Smith

of St. Louis city, Vancleve, Waggener, Whitaker, Wiley, Windes and Mr. Speaker—25.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Souder, Taylor and Tevis—15.

SICK—Messrs. Ham, Knight, Patterson of Linn and Tiernan—4.

House bill No. 639, entitled An act granting a pension to Frederick Miller, on account of injuries received ; was taken up, and, on motion of Mr. Cowan of Holt, indefinitely postponed.

Leave of absence was granted Mr. Carleton for five days.

Senate substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri ; was called up and read the first time.

Senate substitute No. 2 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapter seven of the General Statutes of the State of Missouri, concerning the custody, publication and distribution of the laws and journals, etc. ; was called up and read the first time.

House bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights or measures ; was taken up, read the third time, and failed to pass by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Berry, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dawson, Piercks, Dougherty, Dryden, Ewing, Freed, Greer, Hayes, Hammons, Harrington, Harrison, Hubbard, Kendall, Kneisley, Lackland, Lesueur, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mott, McCormick of St. Louis city, McGarry, McKill, McKinney, O'Malley, Palmer, Patterson of Schuyler, Price, Ragan, Smith of St. Louis city, Swank, Warren, Weygandt, Whitaker, Wisby and Withers—64.

NOES—Messrs. Arnold, Ballew, Beckner, Berryman, Bohannon, Brady, Campbell of Atchison, Cooper, Craig, Dade, Dodson, Drum, Ellis, Farr, Finks, Gray, Gwynne, Helm, Ingram, Johnson, Lockhart, Mahn, Maynard, Mudd of Lincoln, McCormick of Washington, Organ, Pehle, Pepper, Phelan, Powell, Powers, Riley, Reynolds, Settles, Smith of Cedar, Spring, Talbot, Wells and Younger—39.

ABSENT—Messrs. Carroll, Collins, Dale, Davis, Dilley, Hall, Hale, Hynes, Louthan, Miles, Mudd of St. Louis, Pollock, Pollard, Rawlings, Saunders, Turner, Vancleve, Waggener, Wiley, Windes and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Souder, Taylor and Tevis—14.

SICK—Messrs. Campbell of St. Louis city, Ham, Knight, Patterson of Linn and Tiernan—5.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred Senate substitute No. 29 for Senate bill No. 52, being an act to revise or amend that part of chapter 144 of the General Statutes of Missouri, concerning depositions, beg leave to report that they have considered the same, and recommend that it do pass with the amendments herewith submitted; which was read.

Senate substitute No. 29 for Senate bill No. 52 was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1.—Amend by striking out section 28, and insert in lieu thereof as follows:

Section 28. Examinations or depositions taken and returned in conformity to the provisions of this law may be read and used as evidence in the cause in which they shall have been taken, as if the witnesses were present and examined in open court on the trial (the facts which would authorize the reading of the deposition may be established by the testimony of the deposing witness or the certificate of the officer taking the same), thereof. First—If the witness resides or is gone out of the State. Second—If he be dead. Third—If by reason of age, sickness or bodily infirmity he be unable to, or cannot safely attend court. Fourth—If he reside in a county other than that in which the trial is had, or if he be gone to a greater distance than forty miles from the place of trial, without the consent, connivance or collusion of the party requiring his testimony. Fifth—If he be a judge of a court of record, a practicing attorney, or physician, and engaged in the discharge of his official or professional duty at the time of the trial; which was read and agreed to.

Amendment No. 2.—Amend by striking out sections 29 and 30 of (printed) bill; which was read and agreed to.

Amendment No. 3.—Amend by changing the numbers of sections 31, 32, 33, and 34, to numbers 29, 30, 31 and 32, respectively; which was read and agreed to.

Amendment No. 4.—Amend section 21 of printed bill by adding thereto the following:

Any person summoned as a witness in virtue of the provisions of this act, and attending, who shall refuse to give evidence which may

be lawfully required to be given by him on oath or affirmation, may be committed to prison by the officer or person authorized to take his deposition or testimony, there to remain without bail until he give such evidence, or until he be discharged by due course of law: *Provided*, that in case such person be discharged from such commitment or imprisonment upon *habeas corpus* sued therefor, the party or parties litigant in whose behalf the refused evidence shall have been required, shall be liable to pay to such person the costs by him incurred in effecting such discharge, and the further sum of twenty-five dollars for an attorney's fee for the proceedings on *habeas corpus*, to be recovered by action before any court of competent jurisdiction; *And provided further*, that until such costs and attorney's fee are paid, are tendered to such person, he shall not be required further to depose or testify in such cause; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Holt, Craig, Creager, Crow, Cox, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hammons, Harrington, Harrison, Hubbard, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Wells, Weygandt and Younger—92.

NOES—Messrs. Booth, Cooper, Dade and Johnson—4.

ABSENT—Messrs. Bashaw, Brady, Campbell of St. Louis city, Carroll, Chenoweth, Collins, Crowther, Dale, Davis, Gwynne, Hall, Hale, Haynes, Ingram, Miles, Moler, Mudd of St. Louis, Pepper, Pollock, Powell, Rawlings, Saunders, Vancleve, Waggener, Whitaker, Wiley, Windes, Wisby, Withers and Mr. Speaker—30.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Burrows, Cowan of Christian, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, Souder, Taylor and Tevis—13.

SICK—Messrs. Ham, Knight, Patterson of Linn and Tiernan—4.

The title of the bill was read and agreed to.

Mr. Cowan of Holt moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 318, entitled An act to provide for the appointment of an agent to prosecute to settlement all the claims due the State of Missouri by the United States government; was called up and read the first time.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-SIXTH DAY—SATURDAY, May 3, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. McKinney was reported sick.

Leave of absence was granted Mr. Pepper for seven days.

Leave of absence was granted Mr. Settles for three days.

Leave of absence was granted Mr. Rawlings for an indefinite period.

Mr. Bryan offered the following resolution:

Resolved, That the Warden of the Penitentiary be requested to furnish the Commissioner of Permanent Seat of Government with a sufficient number of convicts to clean up the Capitol building and grounds, and to perform such other labor as may be necessary in and about the Capitol; which was read and adopted.

Mr. Hammons introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in relation to revision; which was read the first time and laid over.

Senate bill No. 358, entitled An act concerning executions; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 13 for Senate bill No. 82, entitled An act to revise and amend chapter 95 of the General Statutes of the State of Missouri, concerning auctioneers and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute in part for Senate bills Nos. 69, 51, 214 and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15, 1877; was taken up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate joint and concurrent resolution No. 20, entitled Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to vote for and support, by all honorable influences, the bills now pending before Congress for the repeal of the Federal election laws of May 31, 1870, and acts amendatory of February 28, 1871, and June 10, 1872, known as the Federal Supervising Election Laws; was taken up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Senate substitute No. 2 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapter 70 of the General Statutes of the State of Missouri, concerning the custody, publication and distribution of the laws, journals, etc.; was called up, read the second time, and, on motion, referred to the Committee on Printing.

Senate substitute for Senate bill No. 58, entitled An act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matters; was called up, read the second time, and, on motion, referred to the Committee on Printing.

Senate bill No. 362, entitled An act in relation to courts of common pleas; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 318, entitled An act to provide for the appointment of an agent to prosecute to settlement all claims due the State of Missouri by the United States government; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Senate substitute for Senate bill No. 95, entitled An act to amend sections 1 and 7 of chapter 85 of the General Statutes of 1865, concerning coroners and inquests on the dead; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 333, entitled An act to revise and amend the laws in relation to the assessment of railroad property and the collection

of taxes thereon ; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute No. 1 for Senate bills No. 76, 35, 183, 200, 213 and 259, entitled An act revising and amending the laws relating to public schools in Missouri, and repealing all acts and parts of acts inconsistent with this act ; was called up, read the second time, and, on motion, referred to the Committee on Education.

Senate substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri ; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

Mr. Bryan, from the Special Committee on the Hannibal & St. Joseph railroad, submitted the following report :

MR. SPEAKER: Your committee to whom was referred House resolution concerning the Hannibal & St. Joseph railroad, beg leave to report that we find the matters in controversy contemplated in said resolution were submitted, by authority of the General Assembly of the said State, to the supreme judicial court of Massachusetts, in the case of Hannibal & St. Joseph railroad company, plaintiff vs. Sidney Bartlett and others, and the State of Missouri, defendants, and that said court, by its decree hereto attached, declared that the State of Missouri had no lien upon the lands contemplated in the resolution, enforceable. Therefore your committee recommend that said resolution be indefinitely postponed ; which was read and adopted.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report :

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 352, entitled An act to revise chapter 70 of the General Statutes, beg leave to report that they have considered the same, and recommend that it be referred to your Committee on Revision ; which was read.

House bill No. 352, entitled An act to revise and amend chapter 70 of the General Statutes of Missouri, concerning benevolent, religious and educational associations ; was taken up, and, on motion, referred to the Committee on Revision.

Mr. Cowan of Holt, from the Special Committee on Fee Bills, submitted the following report :

MR. SPEAKER: Your special committee appointed to act with a Senate committee to consider the fee bills before both Houses, beg leave to return House bills Nos. 643 and 8, with the recommendation that the House take such action thereon as it may deem expedient ; which was read.

House bill No. 643, entitled An act to regulate fees; was taken up, and, on motion, ordered engrossed and printed.

House bill No. 8, entitled An act to regulate the compensation of clerks of circuit courts and *ex officio* recorders; was taken up, and the House refused to order the bill to engrossment and printing.

Senate substitute for Senate bill No. 162, entitled An act to extend the time for the completion of certain railroads organized under the general laws of this State; was taken up and read at length by the Clerk, when

Mr. Haynes interposed objections to the signing of the bill, it not being the same in substance and form as when passed by the House, in consequence of a subsequent insertion and irregular adoption of the emergency clause, and not being read at length at any time previous to its passage by the House.

The question being, "Shall the objections interposed by the gentleman from DeKalb (Mr. Haynes) be sustained by the House?" the House refused to sustain the objections.

The Speaker *pro tem.* thereupon proceeded to affix his signature to the bill, when

Mr. Haynes submitted the following written protest against the signing thereof:

MR. SPEAKER: The undersigned members of the Lower House of the 30th General Assembly of the State of Missouri, do object to your signing substitute for Senate bill No. 162, and file this, their solemn protest, against the signing thereof, for the following reasons, to-wit:

First—That an insertion has occurred in said bill, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the House, which insertion is as follows:

SECTION 2. And, whereas, the time within which divers railroad companies, organized under the general laws of this State, are required to finish and put in operation their respective roads, will expire within ninety days after the adjournment of the present session of the General Assembly, leaving such roads partially completed, therefore an emergency exists which requires that this act should go into immediate effect, and therefore this act shall take effect and be in force from and after its passage.

Second—That when the said bill was put upon its final passage in the House, the emergency clause thereto was voted upon and defeated. A motion was then made to reconsider the vote by which it was defeated, and the vote upon such motion to reconsider was immediately taken and carried, and thereupon another vote was immediately taken upon the emergency clause, and the same again defeated, and the

same thereby finally disposed of, as provided by section 35 of article 4 of the Constitution of the State of Missouri; and that the act of the House on the first day of May, 1879, by which the emergency clause was passed is in violation of said section 35 of said article 4 of said Constitution; and that the emergency clause is an insertion that has occurred in said bill since its passage by the House.

Third—That the matters and things set out in section 2 of said bill do not create an emergency, as contemplated by section 36 of article 4 of the Constitution.

Fourth—That this bill purports to be a general law, but is in effect a special law, and is in violation of that clause of section 53 of article 4 of the Constitution, which prohibits the General Assembly from passing a special law extending the charters of corporations.

Fifth—That this bill was not read on three different days in the House, nor was it read at any time in full before its final passage in the House, but only read by title, and the passage thereof is in violation of section 26 of article 4 of the Constitution.

Thos. A. McKinney, Gentry county; W. H. Craig, Rep., Sullivan county; S. R. Burford, Rep., Cape Girardeau county; M. V. Ingram, Rep., Greene county; Jas. W. Kneisley, Rep., Boone county; W. H. Haynes, Rep., DeKalb county.

STATE OF MISSOURI, }
County of Cole, } ss.

Personally appeared before me, Francis Roer, a notary public within and for said county, Thomas A. McKinney, W. H. Craig, S. R. Burford, M. V. Ingram, James W. Kneisley and W. H. Haynes, whose names are subscribed to the foregoing protest, and by me being first duly sworn upon their oaths, say that the matters and things contained in the foregoing protest are true, according to their best knowledge and belief.

Witness my hand and notarial seal, at office in Jefferson City, Mo., this 2d day of May, 1879.

[L. S.]

FRANCIS ROER,

Notary Public, Jefferson City, Cole county, Mo.

Commissioned from December 27, 1873, to December 27, 1882.

Senate substitute for Senate bills Nos. 60 and 204, entitled An act to revise and amend title 34, chapters 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 and 172 of the General Statutes of the State of Missouri, concerning practice in civil cases; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 332, entitled An act to provide for the establishment of parks in cities, and providing the manner for the appropria-

tion and valuation of lands taken therefor; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 353, entitled An act supplemental to and amendatory of an act entitled an act to amend sections 1, 4, 12 and 13 of an act entitled an act to establish the 24th judicial circuit, etc; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 144, entitled An act to amend chapter 28 of the General Statutes of Missouri, entitled of constables, and to conform the same to the changes brought by section 23 article 9 of the Constitution, and to add an additional section thereto, to be known as section 14; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., May 3, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I return to the House with my approval endorsed thereon, bills of the following titles:

An act for the propagation and protection of food fishes in the waters of the State of Missouri, and to appropriate money therefor.

An act to amend section 44 of an act dividing the State into judicial circuits, providing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877.

An act to repeal an act entitled an act to amend section 42 of chapter 136 of the General Statutes of Missouri, as amended by an act entitled an act to amend sections 26 and 42 of chapter 136 of the General Statutes, entitled of circuit courts, their jurisdiction, terms and circuits, and to provide additional compensation for the judge of the 16th judicial circuit, approved March 22, 1870, the same being section 44 of article 4 of chapter 41 of Wagner's Statutes, and to repeal certain sections of said amendatory act, approved March 22, 1870, and to provide for additional compensation for the judge of the 16th judicial circuit, approved March 17, 1871.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 557, entitled An act to repeal an act entitled an act to incorporate the Caruthersville education society, and find the same truly and correctly enrolled; which was read.

House bill No. 557; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Lackland from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 678, entitled An act providing the maximum compensation of sheriff's in municipalities of this State, beg leave to report that they have considered the same and recommend that the substitute herewith submitted do pass; which was read.

House bill No. 678; was taken up, with the substitute recommended by the Committee on Judiciary

The substitute was read and agreed to, and, on motion, ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 580, entitled An act to amend sections 1 and 2 of chapter 139 of Wagner's Missouri Statutes, entitled of trusts and trustees, beg leave to report that they have considered the same, and recommend that it do pass, with amendments herewith submitted; which was read.

House bill No. 580; was taken up, with accompanying amendments recommended by the Committee on Judiciary, and on motion, referred to the Joint Committee on Revision.

The hour of 10 o'clock having arrived, the roll of the House was called, when the following members responded to their names:

Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McGarry, McKill,

O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby, Withers and Younger—111.

Leave of absence was granted Mr. Waggener for five days, Mr. Windes for five days, Mr. Brady for two days, and Mr. Alldridge for three days.

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 589, entitled An act to repeal section 43 of supplement to chapter 27 of Wagner's Missouri Statutes, being section 43 as set forth in section 1 of an act entitled an act to amend chapter 27 of the General Statutes of Missouri, relating to county surveyors, approved March 25, 1872, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on Revision, with accompanying amendment; which was read.

House bill No. 589, was taken up, with the accompanying amendments, and, on motion, referred to the Joint Committee on Revision.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 647, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House bill No. 682, entitled An act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hall, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—98.

NOES—Mr. Burford—1.

ABSENT—Messrs. Arnold, Coleman, Dade, Dale, Davis, Dawson, Gwynne, Haynes, Johnson, Kneisley, Mott, Mudd of St. Louis, McCormick of St. Louis city, Pollard, Vancleve, Wisby and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Settles, Souder, Taylor, Tevis, Waggener and Windes—22.

SICK—Messrs. Ham, McKinney, Patterson of Linn, Tiernan and Burrows—5.

The title of the bill was read and agreed to.

Mr. Kendall moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thomas B. English, deceased, late judge of the 10th judicial circuit of Missouri; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cox, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gray, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Helm, Kendall, Kneisley, Lesueur, Louthan, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuy-

ler, Phelan, Pollock, Powers, Price, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Vancleve, Warren, Weygandt, Whitaker, Wiley and Younger—81.

NOES—Messrs. Adams, Andrews, Beckner, Bonham, Cooper, Dade, Dale, Diercks, Farr, Greer, Harrison, Hubbard, Ingram, Knight, Lockhart, Lynn, Miles, Mudd of Lincoln, Pehle and Withers—20.

ABSENT—Messrs. Carroll, Chenoweth, Cowan of Holt, Davis, Harrington, Johnson, Lackland, Maynard, Mott, Mudd of St. Louis, Pollard, Powell, Ragan, Wells, Wisby and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Taylor, Tevis, Waggener and Windes—20.

SICK—Messrs. Campbell of St. Louis city, Ham, McKinney, Patterson of Linn, Tiernan and Burrows—6.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Arnold, Berry, Berryman, Bohannon, Boulware, Brewer, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cox, Crow, Creager, Dawson, Dilley, Dodson, Drum, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Helm, Kendall, Louthan, Mabrey, Moler, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Weygandt and Wisby—63.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bonham, Booth, Campbell of Atchison, Cloud, Cook, Cooper, Craig, Crowther, Dade, Dale, Diercks, Dougherty, Harrison, Hubbard, Ingram, Kneisley, Knight, Lockhart, Lynn, Mahn, Miles, Mudd of Lincoln, McKill, Pehle, Pollard, Powell, Smith of Cedar, Whitaker, Wiley, Withers and Younger—36.

ABSENT—Messrs. Bashaw, Carroll, Cock, Cowan of Holt, Davis, Farr, Finks, Johnson, Lackland, Mackey, Manistre, Maynard, Mudd of St. Louis, Pollock, Vancleve, Wells and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Taylor, Tevis, Waggener and Windes—21.

SICK—Messrs. Campbell of St. Louis city, Ham, McKinney, Patterson of Linn, Tiernan and Burrows—6.

House bill No. 684, entitled An act fixing the rate of interest at not more than six per cent. upon loans secured by real estate; was taken up.

Mr. Harrington moved to lay the bill on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Berryman, Bonham, Booth, Brewer, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cock, Cooper, Cowan of Holt, Cox, Crowther, Dilley, Dodson, Ellis, Freed, Gwynne, Hayes, Harrington, Hubbard, Ingram, Kendall, Lackland, Lockhart, Louthan, Mackey, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McGarry, O'Malley, Phelan, Pollock, Pollard, Ragan, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Warren, Wells and Weygandt—45.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Bohannon, Boulware, Brown, Bryan, Burford, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Creager, Craig, Dade, Dale, Dawson, Diercks, Dougherty, Drum, Ewing, Farr, Finks, Gray, Greer, Haynes, Hall, Hale, Hammons, Harrison, Helm, Kneisley, Knight, Lynn, Mabrey, Mahn, Morrison, McCormick of Washington, Organ, Palmer, Patterson of Schuyler, Pehle, Powell, Powers, Price, Reynolds, Settles, Spring, Talbot, Turner, Whitaker, Wiley, Wisby, Withers and Younger—61.

ABSENT—Messrs. Ballew, Carroll, Crow, Davis, Johnson, Miles, Mudd of St. Louis, McKill, Swank, Vancleve and Mr. Speaker—11.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Taylor, Tevis, Waggener and Windes—21.

SICK—Messrs. Ham, McKinney, Patterson of Linn, Tiernan and Burrows—5.

The bill was then read the third time, and failed to pass by the following vote:

AYES—Messrs. Beckner, Berry, Bohannon, Brown, Bryan, Burford, Chenoweth, Chitwood, Cloud, Collins, Craig, Dade, Ewing, Finks, Harrison, Kneisley, Morrison, McCormick of Washington, Pehle, Powell, Price Reynolds, Spring, Talbot, Warren, Whitaker and Withers—27.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berryman, Bonham, Booth, Brewer, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cock, Cook, Cooper, Cowan of Holt, Cox, Creager, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Gray, Greer, Gwynne, Hayes, Hall, Hale, Hammons, Haynes, Harrington, Hubbard, Helm, Ingram, Kendall, Lackland, Lockhart, Louthan, Lynn, Mahn, Manistre, Maynard, Moler, Mott, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Smith of Cedar, Swank, Turner, Wells, Weygandt, Wiley, Wisby and Younger—72.

ABSENT—Messrs. Andrews, Boulware, Carroll, Coleman, Crow, Dale, Davis, Dawson, Freed, Johnson, Knight, Mabrey, Mackey, Miles, Mudd of Lincoln, Mudd of St. Louis, Vancleve and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Taylor, Tevis, Waggener and Windes—21.

SICK—Messrs. Ham, McKinney, Patterson of Linn, Tiernan and Burrows—5.

Mr. Harrington moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in House amendment to Senate amendment to substitute for House bill No. 396, entitled An act to provide a uniform system for canceling county warrants.

Also, That the Senate has taken up and concurred in House amendments to Senate bill No. 361, entitled an act for the organization and government of the Missouri militia.

Also, that there has been introduced into and passed the Senate, Senate substitute for Senate bills Nos. 245, 152, 275, 317 and 89, and House bill 155, entitled An act to revise and amend the laws in relation to roads and highways, etc.

Also, substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, General Statutes of Missouri, concerning wills.

Also, Senate bill No. 344, entitled An act to appropriate money to pay the judge of the 16th judicial circuit for presiding over the Hannibal court of common pleas.

Also, substitute for Senate bill No. 79, entitled an act to revise and amend title one, General Statutes, concerning the State census.

Also, substitute No. 6 for Senate bill No. 100, entitled An act relating to city, town and other plats.

Also, substitute in part for Senate bill No. 95, title 25, chapter 79, General Statutes 1865, concerning diseased animals ; in which the House is respectfully requested to concur ; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House the President of the Senate has appointed as a Committee of Conference to consider substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119, of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name, Senators Major, Parrish and D'Armond, to act with Messrs. Taylor, Wells and Haynes ; which was read.

Substitute for House bill No. 701, entitled An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants ; was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Helm, Kendall, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Warren, Weygandt, Whitaker, Wiley, Wisby, Withers and Younger—95.

NOES—Messrs. Ballew, Bashaw, Burford, Chenoweth, Cowan of Holt, Hammons, Ingram, Lackland, Louthan and Wells—10.

ABSENT—Messrs. Carroll, Crow, Davis, Dawson, Haynes, Johnson, Kneisley, Knight, Mudd of St. Louis, Patterson of Schuyler, Vancleve and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Taylor, Tevis, Waggener and Windes—21.

SICK—Messrs. Burrows, Ham, McKinney, Patterson of Linn and Tiernan—5.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was taken up, and, on motion, laid over informally.

On motion of Mr. Campbell of St. Louis city, Mr. Arnold was added to the Committee on Banks and Corporations.

Mr. Campbell of St. Louis city moved that the Committee on Banks and Corporations be allowed a clerk for five days; which was agreed to.

House concurrent resolution No. 58, entitled Concurrent resolution to amend and approve the report of the committee appointed by the Governor, John S. Phelps, to settle with the State Auditor, State Treasurer, and to examine into the condition and affairs of the office of Register of Lands, etc.; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Substitute for House bills Nos. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof; was taken up with the following Senate amendments thereto:

Amendment No. 1—Amend article 4, section 5, line four, by striking out the word "thirty," and inserting the word "sixty" in lieu thereof; was read and concurred in by the following vote:

AYES — Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Lackland, Lesueur, Lockhart,

Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—93.

ABSENT—Messrs. Burford, Carroll, Craig, Davis, Ewing, Hall, Haynes, Johnson, Knight, Louthan, Mott, Mudd of St. Louis, McCormick of St. Louis city, Pollock, Riley, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Wisby and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Settles, Souder, Taylor, Tevis, Waggener and Windes—21.

SICK—Messrs. Burrows, Campbell of St. Louis city, Ham McKinney, Patterson of Linn and Tiernan—6.

Amendment No. 2—Amend article 9, section 10, line 4, by inserting the word, “not,” between the words, “out” and “more,” and also by inserting the words, “not less than twenty,” between the words, “sixty” and “days,” in same line; was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Brewer, Brown, Bryan, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Turner, Warren, Wells, Weygandt, Whitaker, Wiley and Younger—89.

ABSENT—Messrs. Bashaw, Beckner, Boulware, Burford, Carroll, Crowther, Dale, Davis, Ewing, Hall, Johnson, Knight, Louthan, Manistre, Mott, Mudd of St. Louis, McCormick of St. Louis city, Pollock, Smith of St. Louis city, Spring, Swank, Talbot, Vancleve, Wisby, Withers and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Cowan of Christian, Dryden, Foster, Harrigan, Hynes, Larimore

Lesueur, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Settles, Souder, Taylor, Tevis, Waggener and Windes—22.

Sick—Messrs. Burrows, Campbell of St. Louis city, Ham, McKinney, Patterson of Linn and Tiernan—6.

Mr. Wells moved to reconsider the vote by which the Senate amendments were concurred in, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence for two hours was granted Mr. Warren.

Mr. Lockhart called up his motion, made and entered on the journal April 8th, to reconsider the vote by which the House refused to order House bill No. 98, to engrossment and printing.

The question being upon the agreeing to the motion to reconsider; it was not agreed to.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Mr. Farr in the chair.

Mr. McDaniel, from the Joint Committee on Revision, introduced bill No. 709, entitled An act declaratory of the Revised Statutes of the State of Missouri, and their effect; and to provide for the collation, editing, printing, binding, publishing and distributing the same: which was read the first time, and, on motion, 250 copies ordered printed.

On motion of Mr. Price, the House adjourned until Monday morning at 9 o'clock.

NINETY-SEVENTH DAY—MONDAY, May 5, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Cock was granted leave of absence for two days.

Mr. Carroll was granted leave of absence for three days.

Mr. Louthan was granted leave of absence for one day.

Mr. Talbot was granted leave of absence until noon.

Mr. Gwynne was granted leave of absence for two hours.

Mr. Arnold was reported sick.

Mr. Cowan of Holt, moved a call of the House; which was ordered, when the following members answered to their names:

Messrs. Adams, Andrews, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Taylor, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Withers and Younger—96.

On motion of Mr. Cowan of Holt, the further proceeding under the call of the House was dispensed with.

Mr. Hall was granted leave of absence for five days.

Mr. Dale was granted leave of absence for two days.

Mr. Booth was granted leave of absence until noon.

Mr. Settles presented a remonstrance from citizens of Marion county, praying the Legislature not to pass the "bell punch law;" which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. Taylor presented a petition from citizens of St. Louis county, praying the Legislature to submit to a vote of the people an amendment to the Constitution, prohibiting the manufacture and sale of intoxicating liquors within the State; which was read, and, on motion, referred to the Committee on Constitutional Amendments.

Mr. Burford presented a remonstrance from citizens of Cape Girardeau county, protesting against the passage of the "bell punch law;" which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. Spring presented a petition from citizens of Cass county, praying the Legislature to pass the educational bill, known as the "Shannon bill;" which was read, and, on motion, referred to the Committee on Education.

Mr. Dade introduced a joint and concurrent resolution, entitled Joint and concurrent resolution to authorize and empower the Governor to institute suits to recover on bonds of State officers; which was read the first time and laid over.

Senate substitute No. 6 in part for Senate bill No. 100, entitled An act relating to city, town and other plats; was called up, and read the first time.

Senate substitute for Senate bill No. 79, entitled An act to revise and amend title 1 of the General Statutes of the State of Missouri, concerning the State census; was called up and read the first time.

Senate bill No. 344, entitled An act to appropriate money for the payment of the judge of the 16th judicial circuit, for presiding over the Hannibal court of common pleas; was called up and read the first time.

Senate substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, entitled of wills, of title 32 of the General Statutes of the State of Missouri; was called up and read the first time.

Senate substitute in part for Senate bill No. 95, title 25, chapter 79, General Statutes 1865, concerning diseased animals; was called up and read the first time.

Senate substitute for Senate bills Nos. 245, 152, 275, 317, 89 and House bill No. 155, entitled An act to revise and amend the general law in relation to roads and highways, providing for the establishing, opening, repairing and vacating the same; was called up and read the first time.

House joint and concurrent resolution No. 59, entitled House joint and concurrent resolution in relation to revision; was called up, read the second time, and, on motion, referred to the Committee on Revision.

House bill No. 484, entitled An act to provide for the appointment of liquor inspectors, defining their powers and duties, and repealing all laws inconsistent herewith; was called up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Dougherty, Drum, Ewing, Finks, Freed, Gray, Greer, Hammons, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Tiernan, Turner, Vancleve, Whitaker, Withers and Younger—81.

NOES—Messrs. Burford, Cowan of Christian, Cox, Dade, Ellis, Hayes, Hale, Kendall, Pehle, Warren, Wells and Weygandt—12.

ABSENT—Messrs. Burrows, Campbell of Atchison, Chitwood, Cooper, Davis, Diercks, Farr, Haynes, Mott, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Pollock, Pollard, Swank, Wiley, Wisby and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Anderson, Booth, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Gwynne, Hall, Harri-gan, Hynes, Larimore, Lesueur, Louthan, McDaniel, McElvain, Mc-Intyre, Pepper, Rawlings, Souder, Talbot, Taylor, Tevis, Waggener and Windes—28.

SICK—Messrs. Arnold, Ham, McKinney and Patterson of Linn—4.
The title of the bill was read and agreed to.

Mr. Maynard moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 593, entitled An act to reorganize and diminish the number of judicial circuits and prescribing the times of holding courts therein, and repealing an act entitled an act dividing the State into judicial circuits and prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent there-with, approved April 28, 1877; was called up.

Mr. Dryden moved to lay the bill on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Bonham, Brewer, Campbell of Atchison, Chitwood, Cloud, Collins, Cooper, Cowan of Holt, Cox, Creager, Crow, Dilley, Dodson, Dougherty, Drum, Dryden, Hale, Haynes, Harrington, Knight, Lackland, Lynn, Mackey, Maynard, Mott, McGarry, Patterson of Schuyler, Pehle, Phelan, Pollock, Powell, Saunders, Smith of St. Louis city, Swank, Taylor, Turner, Vancleve, Wells and Wiley—39.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berryman, Bohannon, Booth, Boulware, Brown, Bryan, Burford, Chenoweth, Coleman, Craig, Cook, Dade, Dawson, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hammons, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Mabrey, Mahn, Manistre, Miles, Mudd of Lincoln, McCormick of Washington, McKill, O'Malley, Organ, Palmer, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Spring, Warren, Weygandt, Whitaker and Withers—56.

ABSENT—Messrs. Ballew, Berry, Campbell of St. Louis city, Chilton, Cowan of Christian, Crowther, Davis, Diercks, Freed, Gwynne, Kendall, Moler, McCormick of St. Louis city, Morrison, Mudd of St. Louis, Settles, Wisby, Younger and Mr. Spêaker—19.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Foster, Hall, Harrigan, Hynes, Larimore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—23.

SICK—Messrs. Arnold, Burrows, Ham, McKinney, Patterson of Linn and Tiernan—6.

On motion of Mr. Bashaw, the bill was recommitted to the Committee on Redistricting the State into Judicial Circuits.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Pow-

ers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—109.

Mr. McKinney was reported sick.

House bill No. 588, entitled An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri; was called up.

Mr. Saunders moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was agreed to.

Mr. Saunders offered the following amendment;

Amend by striking out the words "gaslight or," in line 3 of the printed bill, and by striking out the words "lighting by gas or," in line 5 of the printed bill, and by inserting the words "two-thirds" between the word "a" and the word "majority" in line 14 of the printed bill; which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 630, entitled an act to amend section 31, chapter 122 of the General Statutes of 1865, permitting sales of real estate in cities of 100,000 inhabitants at an established real estate exchange, or at the court house, as the officer in charge may order, beg leave to report that they have considered the same, and recommend that it be referred to the Committee of the St. Louis Delegation, with the accompanying documents; which was read.

House bill No. 630 was taken up, with the accompanying documents, and, on motion, referred to the St. Louis Delegation.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865, in relation to sales of real estate in cities of 100,000 inhabitants, etc., beg leave to report that they have considered the same, and recommend that it be referred to your Committee of the St. Louis Delegation; which was read.

House bill No. 633 was taken up, and, on motion, referred to the St. Louis Delegation.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 358, entitled An act concerning executions, beg leave to report that they have considered the same, and recommend that it do pass; which was read,

Senate bill No. 358 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Reynolds, Settles, Smith of Cedar, Spring, Swank, Taylor, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker and Withers—92.

ABSENT—Messrs. Beckner, Berry, Campbell of Atchison, Campbell of St. Louis city, Crowther, Davis, Diercks, Hale, Hammons, Lesueur, Morrison, Mott, Mudd of St. Louis, O'Malley, Riley, Saunders, Smith of St. Louis city, Wiley, Wisby, Younger and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Gwynne, Hall, Harrigan, Hynes, Larimore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—25.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

The title of the bill was read and agreed to.

Mr. Settles moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 95, entitled An act to amend sections one and seven of chapter 85 of the General Statutes of 1865, concerning coroners and inquests on the dead, beg leave to report

that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 95 was taken up.

Mr. Bashaw offered the following amendment:

Amend section 1 by striking out the words "by means or causes unknown" in the third and fourth lines; which was read.

Mr. Price moved that the bill and pending amendment be indefinitely postponed; which was agreed to.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 362, entitled An act in relation to courts of common pleas, beg leave to report that they have considered the same, and herewith return the same without recommendation; which was read.

Senate bill No. 362 was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burrows, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hale, Hammons, Haynes, Harrison, Hubbard, Helm, Johnson, Kneisley, Knight, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley and Younger—95.

NOES—Messrs. Dade and Withers—2.

ABSENT—Messrs. Burford, Davis, Diercks, Freed, Gwynne, Hayes, Harrington, Ingram, Kendall, Lackland, Lesueur, Maynard, Moler, Mott, Mudd of St. Louis, Pollock, Wisby and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Erady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Hall, Harrigan, Hynes, Larimore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—24.

SICK—Messrs. Arnold, Ham, McKinney and Patterson of Linn—4.
The title of the bill was read and agreed to.

Mr. Lackland moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Substitute for House bill No. 388, entitled An act to amend part or subdivision 11 of section 1 of an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877; was taken up, with the following Senate amendments thereto:

Amendment No. 1—Amend 4th subdivision of section 1 by striking out the word "six" in last line of said subdivision, and by inserting in lieu thereof the word "five;" was read and concurred in, by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dade, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Tiernan, Turner, Warren and Weygant—87.

NOES—Messrs. Beckner, Cooper, Dawson, Diercks, Helm, Saunders, Settles, Wells and Whitaker—9.

ABSENT—Messrs. Burford, Cowan of Holt, Davis, Freed, Kendall, Lackland, Maynard, Moler, Mudd of St. Louis, Pollock, Spring, Van-cleve, Wiley, Wisby, Withers, Younger and Mr. Speaker—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Gwynne, Hall, Harrigan, Hynes, Larimore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—25.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

Mr. Collins moved to reconsider the vote by which the House concurred in amendment No. 1, and to lay his motion to reconsider on the table; which was agreed to.

Amendment No. 2—Amend 5th subdivision of section 1 by striking out the word "five" in the last line of said subdivision and by inserting in lieu thereof the word "four;" was read and concurred in, by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brown, Bryan, Burford, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Craig, Creager, Crow, Crowther, Dade, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hale, Hammons, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Reynolds, Smith of St. Louis city, Spring, Swank, Taylor, Tiernan, Turner, Warren, Whitaker and Wiley—82.

NOES—Messrs. Campbell of Atchison, Cox, Powell, Wells and Weygandt—5.

ABSENT—Messrs. Beckner, Brewer, Cooper, Cowan of Holt, Davis, Diercks, Farr, Freed, Hall, Harrigan, Harrington, Kendall, Lackland, Miles, Moler, Mudd of St. Louis, Pollock, Ragan, Riley, Saunders, Settles, Smith of Cedar, Vancleve, Wisby, Withers, Younger and Mr. Speaker—27.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Gwynne, Harrigan, Hynes, Larmore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—24.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

Mr. Farr moved to reconsider the vote by which the House concurred in Senate amendment No. 2; which was agreed to.

The question recurring upon concurring in Senate amendment No. 2, the roll was called and the House refused to concur therein, by the following vote:

AYES—Messrs. Ballew, Berry, Bohannon, Bonham, Boulware, Burford, Campbell of St. Louis city, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Dade, Dougherty, Ewing, Gray, Harrison, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Price, Ragan, Reynolds, Smith of St. Louis city, Spring, Swank, Turner, Tiernan, Warren and Wiley—49.

NOES—Messrs. Adams, Andrews, Bashaw, Beckner, Booth, Brewer, Brown, Bryan, Campbell of Atchison, Chilton, Cox, Craig, Creager, Crow, Dawson, Dodson, Drum, Ellis, Farr, Finks, Greer,

Hayes, Hale, Hammons, Haynes, Harrington, Hubbard, Helm, Johnson, Knight, Mahn, Maynard, McGarry, O'Malley, Pehle, Powell, Powers, Riley, Saunders, Settles, Smith of Cedar, Wells, Weygandt, Whitaker and Younger—45.

ABSENT—Messrs. Berryman, Cowan of Holt, Crowther, Davis, Diercks, Dilley, Freed, Gwynne, Ingram, Kendall, Lackland, Morrison, Mudd of St. Louis, Pollock, Taylor, Vancleve, Wisby, Withers and Mr. Speaker—19.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Foster, Hall, Harrigan, Hynes, Larimore, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—25.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

Amendment No. 3—Amend 6th subdivision of section 1 by striking out the word "five," in the last line of same, and by inserting in lieu thereof the word "three;" was read.

Mr. McCormick of St. Louis moved that the House refuse to concur in Senate amendment No. 3; which was agreed to.

Amendment No. 4—Amend 7th subdivision of section 1, by striking out of the last line the word "three," and by inserting in lieu thereof the words "two and one half;" was read.

Mr. McCormick of St. Louis moved that the House refuse to concur in Senate amendment No. 4; which was agreed to.

Amendment No. 5—Amend 8th subdivision of section 1, by striking out of last line the words "two and one-half," and by inserting in lieu thereof the word "two;" was read.

Mr. McCormick of St. Louis moved that the House refuse to concur in Senate amendment No. 5; which was agreed to.

Mr. McCormick of St. Louis moved to reconsider the vote by which the House tabled the motion to reconsider the vote by which Senate amendment No. 1 was concurred in; which was agreed to.

Mr. McCormick of St. Louis moved to reconsider the vote by which Senate amendment No. 1 was concurred in; which was agreed to.

Mr. McCormick of St. Louis moved that the House refuse to concur in Senate amendment No. 1; which was read and agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 424, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to re-

peal chapter 61, General Statutes of Missouri, and all acts amendatory thereto.

Also, House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first class to administer, free of charge, all oaths in connection with their official duties;

Also, that the Senate has taken up and failed to pass substitute for House bill 144, entitled An act to authorize counties, for themselves, and in behalf of townships therein, and cities and towns, to compromise and redeem, or fund their debts;

Also, that the Senate has taken up and failed to pass House bill No. 525, entitled An act to regulate the salary of circuit attorney of the 8th judicial circuit in the State of Missouri;

Also, that the Senate has taken up and refused to order to a third reading, House bill No. 438, entitled An act authorizing the attorney-general to institute proceedings for the recovery of certain moneys;

Also, that there has been introduced into and passed the Senate, substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapters 4, 6 and 8, General Statutes of Missouri, concerning legislative proceedings, and adopted the emergency clause thereto, in which the concurrence of the House is respectfully requested; which was read.

Mr. Lackland, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 536 was taken up, and on motion, ordered engrossed and printed.

House bill No. 709, entitled An act declaratory of the revised Statutes of the State of Missouri, and their effect, and to provide for the collation, editing, printing, binding, publishing and distributing the same; was called up, read the second time, and on motion, referred to the Committee on Judiciary.

Mr. Mott, from the Committee on St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 568, entitled An act to amend section 1 of an act entitled an act to restrain domestic animals of the species of horse, cattle, etc., approved April 11, 1877, beg leave to report that

they have considered the same, and recommend that it do pass, with accompanying amendments; which was read.

House bill No. 568; was taken up, with the following amendments recommended by the St. Louis Delegation.

Amendment No. 1—Amend section one by striking out all the printed matter after the word, “owner,” in line 54, including the word “county,” in line 57, and insert the following: “Except in the city of St. Louis, the same may be herded on lands of the owner or other unclosed lands in said city not used by the owner, unless objections shall be made by the owner or his agent: *Provided*, That nothing in this act shall be so construed as to authorize the herding or grazing of any such animals on any street or highway, or on any of the parks belonging to said city, or the inhabitants thereof: *And provided further*, That all animals, while being herded on lands either of the owner or others, shall be under the care of competent and attentive herders, and shall be restrained within the limits prescribed by this act; and whenever any such animals shall be found so running at large or outside of the inclosure of its owner, or being herded in said city or county contrary to the provisions of this act;” which was read.

On motion of Mr. Campbell of St. Louis city, the bill and amendments were recommitted to the St. Louis Delegation.

On motion of Mr. Price, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem*. Campbell in the chair.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 5, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to repeal an act entitled An act to incorporate the Caruthersville Education Society, approved March 15, 1861;

An act to appropriate money to rebuild Lunatic Asylum No. 2 at St. Joseph, and to appoint commissioners to superintend the erection of the same.

Very respectfully,

JOHN. S. PHELPS.

Which was read,

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined substitute for House bill No. 396, entitled An act to provide a uniform system for canceling county warrants, and find the same truly and correctly enrolled; which was read.

Substitute for House bill No. 396; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

House bill No. 533, entitled An act to provide for the transferring the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court; was taken up, with the following Senate amendments thereto:

Amendment No. 1—Amend section 1 by inserting after the words “application of,” in the fifth line, the following words, “the recorder of deeds of such county, or;” and by striking out the word, “and,” where it first occurs in the sixth line, and inserting the word, “where,” in lieu thereof; and by inserting after the word, “when,” in the same line, these words, “recorder or;” and by striking out the word, “and,” and inserting the word, “when,” in lieu thereof; and further amend by adding at the end of the tenth line, the following, “recorder of deeds, or;” and by striking out the word, “and,” in the eleventh line, where it occurs before the word, “ex-officio,” and inserting the word, “when,” in lieu thereof; and by adding after the word, “said,” in the twelfth line, the words, “recorder or;” and by striking out the word, “and,” and inserting the word, “when,” in lieu thereof; and by adding after the word, “said,” in thirteenth line, the words, “recorder or,” and strike out the word, “and,” and before the word, “ex-officio,” and insert, “when,” in lieu thereof; and further amend by inserting after the word, “the,” where it occurs before the word, “clerk,” in the seventeenth line, the following words, “recorder of deeds, or;” and by striking out the word, “and,” before the word, “ex-officio,” in the same line, and inserting, “when,” in its place; was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Greer, Gwynne, Hayes, Hale, Harrison, Hubbard, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of

Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Turner, Warren, Wells, Weygandt, Whitaker, Wisby, and Withers—82.

NOES—Messrs. Burford, Cowan of Christian, Dade and Pollard—4.

ABSENT—Messrs. Chitwood, Collins, Crowther, Davis, Dawson, Freed, Gray, Hammons, Haynes, Harrington, Helm, Ingram, Maynard, Moler, McCormick of St. Louis city, Pehle, Pollock, Smith of Cedar, Spring, Swank, Taylor, Tiernan, Vancleve, Wiley, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Ewing, Foster, Hall, Harrigan, Hynes, Larimore, Lesueur, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—26.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

Amendment No. 2—Amend the title by striking out the words 'clerk of the circuit court' and inserting the words 'recorder of deeds;' was read and concurred in, by the following vote :

AYES—Messrs. Adams, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Freed, Greer, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Taylor, Tiernan, Turner, Warren, Wells, Weygandt, Wisby and Withers—85.

NOES—Messrs. Alldridge, Andrews, Beckner, Cowan of Christian and Whitaker—5.

ABSENT—Messrs. Bonham, Chitwood, Collins, Crowther, Davis, Farr, Gray, Ham, Hammons, Ingram, Knight, Maynard, Morrison, Mott, McCormick of St. Louis city, Pollock, Saunders, Smith of Cedar, Swank, Vancleve, Wiley, Younger and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Dale, Dryden, Ewing, Foster, Hall, Harrigan, Hynes, Larimore, Lesueur, Louthan, McDaniel, McElvain, McIntyre, Pepper, Rawlings, Souder, Talbot, Tevis, Waggener and Windes—26.

SICK—Messrs. Arnold, Burrows, McKinney and Patterson of Linn—4.

Senate substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapters 4, 6 and 8 of the General Statutes of the State of Missouri, concerning legislative proceedings; was called up and read the first time.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in corrected House amendment No. 13 to Senate substitute for Senate bills Nos. 86 and 207, entitled An act to revise and amend title 4, chapter 10, General Statutes of Missouri, concerning the treasury department, and request the House to recede from its amendments numbered 2, 5, 7, 11, 14, 15, 16 and 17;

Also, that the Senate has taken up House amendments to Senate substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, etc., and has concurred in amendment No. 6, and refused to concur in amendments Nos. 1, 2, 3, 4 and 5, which were as follows:

Amendment No. 1—Strike out lines 14, 15, 16 and 17, and insert in lieu thereof the following:

For printing catalogue of State University, one thousand, three hundred and eighty-nine dollars and thirty-eight cents (\$1,389.38).

For printing agricultural reports in German, one thousand, twenty-one dollars and thirty-eight cents (\$1,021.38).

For printing reports and documents ordered by the General Assembly, six hundred and forty-six dollars and sixty-three cents (\$646.63).

For printing for executive departments, one thousand, three hundred and ninety-six dollars and seventy-six cents (\$1,396.76).

For publishing decisions of the supreme court, eight hundred and fifty-seven dollars and forty-two cents (\$857.42).

Amendment No. 2—Amend by striking out lines 64 and 65.

Amendment No. 3—Amend by striking out lines 22 and 23.

Amendment No. 4—Amend line 12 by striking out \$12,500 and inserting \$11,000.

Amendment No. 5—Amend by striking out all of line 63 of printed bill,

And request the House to recede therefrom.

Also, that the Senate has taken up and refused to concur in House amendment to substitute for Senate bills Nos. 65 and 287, as follows:

"Amend by striking out sections 14, 15, 16 and 17," and request the House to recede therefrom.

Also, that the Senate has taken up House amendments to substitute No. 29, for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of Missouri, concerning depositions, and have concurred in amendments Nos. 1, 2 and 3, and refused to concur in amendment No. 4, as follows:

Amendment No. 4—Amend section 21 of (printed) bill by adding thereto the following: "Any person summoned as a witness in virtue of the provisions of this act, and attending, who shall refuse to give evidence which may be lawfully required to be given by him on oath or affirmation, may be committed to prison by the officer or person authorized to take his deposition or testimony, there to remain without bail, until he give such evidence, or until he is discharged by due course of law: Provided, that in case such person be discharged from such commitment or imprisonment upon habeas corpus sued therefor, the party or parties litigant in whose behalf the refused evidence shall have been required, shall be liable to pay to such person the costs by him incurred in effecting such discharge, and the further sum of twenty-five dollars for an attorney's fee for prosecuting the proceedings on habeas corpus, to be recovered by action before any court of competent jurisdiction; and, provided further, that until such costs and attorneys fee are paid or tendered to such person, he shall not be required further to depose or testify in such cause;" and request the House to recede therefrom.

Also, that the Senate has taken up House amendments to substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments, and has concurred in amendment No. 1, and refused to concur in amendment No. 2, as follows:

Amendment No. 2—Amend by striking out section 75 of bill and insert in lieu thereof as follows: "Sec. 75. Upon such issue the plaintiff shall be held to prove the existence of the facts alleged by him as the ground of the attachment, and if the issue be found for him the cause shall proceed upon the attachment, but if such issue be found for the defendant, the justice shall make an order that the attachment be abated at the cost of the plaintiff and his sureties, and thereupon the cause shall proceed as if commenced originally by summons alone. If either party appeal from the final judgment in the cause, the court having jurisdiction of such appeal shall hear and

determine the whole matter, as well upon the plea in abatement as upon the merits de novo, and the lien of the attachment shall, in case of such appeal, continue unaffected by the order of abatement made by the justice," and request the House to recede therefrom; which was read.

Leave of absence was granted Mr. Ewing for two days.

Senate bill No. 361, entitled An act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act; was taken up, read at length by the Clerk, and signed by the Speaker pro tem., without objections.

Senate bill No. 299, entitled An act to regulate and provide for the salaries of the judges of criminal courts in counties having a population exceeding fifty thousand; was taken up, read at length by the Clerk, and signed by the Speaker pro tem., without objections.

Senate bill No. 253, entitled An act to amend section 2 of an act entitled an act to provide for a branch recorder's office in Jackson county, Missouri, approved March 22, 1873; was taken up, read at length by the Clerk, and signed by the Speaker pro tem., without objections.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate substitute for Senate bill No. 87, entitled An act to revise and amend title five of the General Statutes of Missouri, concerning the assessment and collection of the revenue, and that the Senate has adopted the emergency clause thereto.

Also, Senate substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter eighteen of the General Statutes of the State of Missouri, concerning Attorney General and prosecuting attorneys.

Also, Substitute No. 2 for Senate bill No. 90, entitled An act to revise and amend chapter twenty-four of the General Statutes, concerning clerks of courts of record.

Also, Senate substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Secretary of State, by striking out section three, and by inserting a new section in lieu thereof.

Also, substitute for substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 2, 1871, by striking out section three and inserting a new section in lieu thereof.

Also, substitute in part for Senate bill No. 99, entitled An act to amend sections 1 and 107 of chapter 34 of the General Statutes of Missouri, entitled of counties and county boundaries, and to add a new section to said chapter, to be numbered section 116.

Also, substitute for Senate bill No. 102, entitled An act to revise and amend title 14 of the General Statutes of the State of Missouri, relating to insane and other persons incapable of managing their affairs.

Also, substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of the State of Missouri, concerning the Institution for the Education of the Blind.

Also, substitute for Senate bill No. 308, entitled An act to revise and amend chapter 132, entitled of escheats, of title 32 of the General Statutes.

Also, substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of title 32 of the General Statutes; in which the House is respectfully requested to concur; which was read.

Senate substitute No. 29 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions; was taken up with House amendment No. 4, in which the Senate refused to concur.

Mr. Dryden moved that the House insist upon its amendment, and that a committee of conference, consisting of three members, be appointed by the Speaker to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendment No. 4 to Senate substitute No. 29 for Senate bill No. 52; which was agreed to.

The Speaker *pro tem.* appointed as said Committee on the part of the House, Messrs. Dryden, Farr and McCormick of St. Louis.

Mr. Alldridge, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 399, entitled An act to preserve the public school funds of cities and towns in this State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 399; was taken up, and, on motion, ordered engrossed and printed.

Senate substitute for substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 2, 1871, by striking

out section 3, and inserting a new section in lieu thereof; was called up and read the first time.

Senate substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of Missouri, concerning the Institution for the Education of the Blind; was called up and read the first time.

Senate substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Secretary of State, by striking out section 3, and by inserting a new section in lieu thereof; was called up and read the first time.

Senate substitute for Senate bill No. 308, entitled An act to revise and amend chapter 132, entitled of escheats, of title 32 of the General Statutes; was called up, and read the first time.

Senate substitute in part for Senate bill No. 99, entitled An act to amend sections 1 and 107 of chapter 34 of the General Statutes of Missouri, entitled of counties and county boundaries, and to add a new section to said chapter, to be numbered section 116; was called up, and read the first time.

Senate substitute for Senate bill No. 102, entitled An act to revise and amend title 14 of the General Statutes of the State of Missouri, relating to insane and other persons incapable of managing their affairs; was called up and read the first time.

Senate substitute for Senate bill No. 87, entitled An act to revise and amend title 5 of the General Statutes of Missouri, concerning assessment and collection of the revenue; was called up and read the first time.

Senate substitute for substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of the State of Missouri, concerning Attorney-General and Prosecuting Attorneys; was called up and read the first time.

Senate substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of title 32 of the General Statutes; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 90, entitled An act to revise and amend chapter 24 of the General Statutes, concerning clerks of courts of record; was called up and read the first time.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-EIGHTH DAY—TUESDAY, May 6, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Mott, the further reading was dispensed with.

On motion of Mr. Louthan, Mr. Wells was added to the Committee on Insurance.

Senate substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 79, entitled An act to revise and amend title 1 of the General Statutes of the State of Missouri, concerning the State census; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, entitled of wills, of title 32 of the General Statutes of the State of Missouri; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapters 4, 6 and 8 of the General Statutes of the State of Missouri, concerning legislative proceedings; was called up and read the second time.

Mr. Farr offered the following amendment:

Amend by striking out all of section 39; which was read and not agreed to.

Mr. Gray offered the following amendment:

Amend section 6, tenth line of printed bill, by inserting the words "for the remainder of the session," between the words "thereafter" and "and;" which was read and not agreed to.

On motion, the bill was referred to the Committee on Judiciary.

Senate substitute for Senate substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 2, 1871, by striking out section 3, and inserting a new section in lieu thereof;

was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

Senate substitute for Senate bill No. 308, entitled An act to revise and amend chapter 132, entitled of escheats, of title 32 of the General Statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute in part for Senate bill No. 95, title 25, chapter 79, General Statutes 1865, concerning diseased animals; was called up, read the second time, and, on motion, referred to the Committee on Agriculture.

Senate substitute for Senate bills Nos. 245, 152, 275, 317 and 89, and House bill No. 155, entitled An act to revise and amend the general law in relation to roads and highways, providing for the establishing, opening, repairing and vacating the same; was called up and read the second time.

Mr. Moler offered the following amendment:

Amend section 26, by striking out the words "road overseer," and inserting in lieu, the words "county court;" which was read and agreed to.

On motion, the bill, as amended, was referred to the Committee on Roads and Highways.

Senate substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Secretary of State, by striking out section three, and by inserting a new section in lieu thereof; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 344, entitled An act to appropriate money for the payment of the judge of the sixteenth judicial circuit, for presiding over the Hannibal Court of Common Pleas; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of Missouri, concerning the institution for the education of the blind; was called up, read the second time, and, on motion, referred to the Committee on Deaf and Dumb and Lunatic Asylums.

Senate substitute in part for Senate bill No. 99, entitled An act to amend sections 1 and 137 of chapter 34 of the General Statutes of Missouri, entitled of counties and county boundaries, and to add a new section to said chapter, to be numbered section 116; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

Senate substitute No. 2 for Senate bill No. 90, entitled An act to revise and amend chapter 24 of the General Statutes, concerning clerks of courts of record; was called up, and read the second time.

Mr. Bonham offered the following amendment:

Amend section 4 by striking out the word "three," and insert in lieu thereof the word "two," in the second line of said section; which was read and agreed to.

On motion, the bill, as amended, was referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of title 32 of the General Statutes; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 6 in part for Senate bill No. 100, entitled An act relating to city, town and other plats; was called up, and read the second time.

Mr. Settles offered the following amendment:

Amend said bill by striking out section 4; which was read and agreed to.

On motion, the bill, as amended, was referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 102, entitled An act to revise and amend title 14 of the General Statutes of the State of Missouri, relating to insane and other persons incapable of managing their affairs; was called up, read the second time, and, on motion, referred to the Committee on Insane Asylum.

Senate substitute for Senate bill No. 87, entitled An act to revise and amend title 5 of the General Statutes of Missouri, concerning the assessment and collection of the revenue; was called up, and read the second time.

Mr. Farr offered the following amendment:

Amend section 147 by striking out the word "five," in the fourth sub-division, and inserting "six" in lieu thereof; which was read and agreed to.

Mr. Farr offered the following amendment:

Amend section 147 by striking out the word "four," in the fifth sub-division, and inserting "five" in lieu thereof; which was read and agreed to.

Mr. Farr offered the following amendment:

Amend section 147 by striking out the word "three," in the sixth sub-division, and inserting "four" in lieu thereof; which was read and agreed to.

Mr. Farr offered the following amendment:

Amend section 147 by striking out the words "two and one-half," in the seventh sub-division, and inserting the word "three" in lieu thereof; which was read and agreed to.

Mr. Farr offered the following amendment:

Amend section 147 by striking out the word "two," in the eighth sub-division, and inserting the words "two and one-half" in lieu thereof; which was read and agreed to.

Mr. Riley offered the following amendment:

Amend tenth sub-division, line 44, by striking out the words "one and one-half," and substituting the words "one and three-fourths;" which was read and agreed to.

On motion, the bill, as amended, was referred to the Committee on Ways and Means.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 444, entitled An act to provide for the government of the State penitentiary and the appointment of officers therefor, and defining their duties, and have adopted the emergency clause thereto, in which the House is respectfully requested to concur.

Also, that the Senate has taken up and passed House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshals, coroners, and all clerks of courts of record and other officers to keep an account of and pay over fees of witnesses and others, when collected by them, approved March 24, 1874.

Also, that the Senate has taken up, amended and passed House bill No. 638, entitled An act to appropriate money, and has adopted the emergency clause thereto, in which the House is requested to concur.

Also, that the Senate has taken up House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877, and has receded from its amendments Nos. 1, 2, 3, 4 and 5 thereto; which was read.

The following message was received from the Senate through its Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee appointed to adjust the differences between the House and Senate in relation to substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and

119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name, and respectfully request the concurrence of the House therein ; which was read.

Mr. McDaniel, from the Joint Committee on Revision, submitted the following report :

MR. SPEAKER : Your Joint Committee on Revision, to whom was referred substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor and proceedings thereon, beg leave to report that they have considered the same, and recommend that it do pass, with accompanying amendments ; which was read.

Senate substitute for Senate bills Nos. 92 and 93 was taken up with the following amendments, recommended by the Joint Committee on Revision :

Amendment No. 1—Amend section 31, by inserting after the word “concubinage,” in the 5th line, “and any father, mother, guardian, or other person having the legal charge of her person, who shall consent to the same ; which was read and agreed to.

Amendment No. 2—Amend section 77 by adding thereto the following : “And dogs shall, for all the purposes of this chapter, be considered personal property ;” which was read and agreed to.

Amendment No. 3—Amend bill by striking out section 335 ; which was read and agreed to.

Amendment No. 4—Amend section 328 by striking out all that part between the word “any,” in line 3, and the word “election,” in line 5 ; which was read and agreed to.

Amendment No. 5—Amend bill by striking out section 337, which was read and agreed to.

Amendment No. 6—Amend section 333 by adding after the word “snipe,” in line 5, the words “coon, mink, otter, beaver, bear, muskrat, or other furred animal,” and strike out all between the words “State,” in 6th line, and “he,” in 8th line ; which was read and agreed to.

Amendment No. 7—Amend bill by striking out sections 392, 393, 396 and 397 ; which was read and agreed to.

Amendment No. 8—Amend by striking out section 394, and insert the following in lieu thereof : If any person shall place, erect or maintain, or cause to be placed, erected or maintained, in or across any of the waters of this State, any dam for the purpose of navigation, or of running mills or other machinery, or for any other purpose, and shall fail or neglect to place, erect or maintain upon the same a chute

or apron, not less than ten feet wide, and of not more than forty-five degrees inclination, so that fish may pass up and down over said chute or apron, he shall be deemed guilty of a misdemeanor ; which was read and not agreed to.

Amendment No. 9—Amend bill by striking out section 427 ; which was read and agreed to.

Mr. Chenoweth offered the following amendment :

Amend section 394 of chapter 8, by striking out all of said section after the word "machinery," in line 4 of printed bill ; which was read and agreed to.

Mr. Bryan offered the following amendment :

Amend line 7 of section 35 by striking out the word "ten," and inserting the words "twenty-five," in lieu thereof ; which was read and agreed to.

Mr. McCormick of St. Louis city moved that the bill as amended be recommitted to the Committee on Criminal Jurisprudence ; which was not agreed to.

Mr. Dale offered the following amendment :

Amend section 6, chapter 2, of printed bill, 5th line, after the word "mayhem," insert the words "or other felony ;" which was read and not agreed to.

Mr. Organ offered the following amendment :

Amend printed bill by striking out all of section eight, and inserting in lieu thereof the following : Section 8. Persons convicted of murder in the first degree shall suffer death, or shall be punished by imprisonment in the penitentiary not less than fifty years, and the verdict of the jury shall say whether the punishment be by death or imprisonment ; and those convicted of murder in the second degree shall be punished by imprisonment in the penitentiary not less than ten years ; which was read and not agreed to.

Mr. Bashaw offered the following amendment :

Amend by striking out section 675 of the printed bill, which was read.

On motion of Mr. Lackland, the bill as amended, with pending amendment, was referred to the Committee on Criminal Jurisprudence.

Mr. McCormick of St. Louis asked to be relieved from any further responsibility as a member of the Committee on Criminal Jurisprudence, and tendered his resignation as a member of said committee ; which resignation was accepted.

The hour of ten o'clock having arrived, the roll of the House was called, and the following members of the House answered to their names :

Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christain, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Pollard, Powell, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby, Withers and Younger—114.

Leave of absence was granted Mr. Cooper for four days, and to Mr. Belch for two days.

Mr. Taylor, from the Committee of Conference, on substitute for Senate bill No. 231, submitted the following report :

MR. SPEAKER: Your Committee of Conference, to whom was referred the consideration of the differences between the Senate and the House of Representatives, on section 52 of substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name, beg leave to report that they have considered the same, and agreed upon the following substitute for said section 52, as an adjustment of the said differences of the two houses and recommend that the same do pass :

Substitute for section 52. Section 52. Guardians and curators shall make final settlements of their guardianship or curatorship upon cessation of their authority, whether by revocation, resignation, or the majority of their wards, or the marriage of female wards. The succeeding guardian or curator, in case of resignation or removal, and the ward having attained majority, and the ward and her husband, in case a female ward shall have married before the making of such settlement, shall be served with notice to be present thereat, unless by their presence they shall waive such notice; and if the person so served or being present, shall make no objection to the guardian's or curator's account, the court being satisfied of its justice and correctness, shall approve the same; but if exceptions or objections be made

thereto, the court shall hear the same at a time to be agreed upon by the parties, or fixed by the court: *Provided*, that an exhibit of the accounts and vouchers of said guardian or curator, shall be filed with the court having jurisdiction thereof, and notice of the filing thereof, and of the time of making said settlement, shall be given by publication in some newspaper published in said county, or if no newspaper be published therein, then by written or printed handbills, posted in six public places in said county, at least four weeks before the making of said settlement. S. C. Major, Jr., T. H. Parrish, D. A. De-Armond, M. F. Taylor; which was read.

The question being upon the adoption of the report; the roll was called, and the report was not adopted by the following vote:

AYES—Messrs. Adams, Ballew, Berry, Berryman, Bohannon, Brewer, Campbell of Atchison, Campbell of St. Louis city, Chilton, Chitwood, Cloud, Coleman, Cowan of Holt, Cook, Cox, Craig, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Farr, Finks, Foster, Gwynne, Hale, Hammons, Harrigan, Harrington, Hubbard, Helm, Kendall, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, O'Malley, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Weygandt, Wisby and Younger—69.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Bonham, Booth, Boulware, Brown, Burford, Collins, Cowan of Christian, Creager, Crow, Crowther, Dade, Diercks, Ellis, Gray, Greer, Hayes, Haynes, Harrison, Ingram, Johnson, Kneisley, Lackland, Mahn, Morrison, McCormick of St. Louis city, McKill, McKinney, Organ, Palmer, Pehle, Pollard, Powell, Spring, Warren, Wells, Whitaker and Wiley—41.

ABSENT—Messrs. Bryan, Chenoweth, Davis, Freed, Knight, Lesueur, Maynard, Miles, Pollock, Smith of Cedar and Withers—11.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Carleton, Carroll, Cock, Cooper, Dale, Ewing, Hall, Hynes, Pepper, Rawlings, Souder, Tevis, Waggener, Windes and Mr. Speaker—18.

SICK—Messrs. Arnold, Burrows, Ham and Patterson of Linn—4.

Mr. Lackland moved that another Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering section 52 of Senate substitute for Senate bill No. 231; which was agreed to.

The Speaker appointed as said committee on the part of the House, Messrs. Lackland, McIntyre and Dryden.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred Senate substitute No 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259, entitled An act amending the laws relating to public schools in the State of Missouri, and repealing all act and parts of acts inconsistent with this act, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute No. 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259; was taken up, with the amendments recommended by the Committee on Education.

On motion, the further consideration of the bill and amendments was postponed, and made the special order for Thursday, May the 8th, at 10 o'clock A. M.

Mr. Powell, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 323, entitled An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto, relating to juries, and find the same truly and correctly enrolled; which was read.

House bill No. 323; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 201, entitled An act to revise and amend an act establishing probate courts, approved April 9th, 1877;

Also, substitute No. 2 for Senate bill No. 76, entitled An act revising and amending the laws relating to the Normal Schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act, in which the concurrence of the House is respectfully requested; which was read.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker *pro tem.* Campbell in the chair.

Senate substitute for Senate bill No. 73, entitled An act to revise and amend chapters 176 to 186 inclusive, regulating the jurisdiction and procedure before justices of the peace in civil cases; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

On motion of Mr. Taylor, seconded by ten members, a call of the House was ordered, when the following members answered to their names:

Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Brewer, Bryan, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrington, Harrison, Hubbard, Helm, Knight, Larimore, Lockhart, Louthan, Lynn, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Smith of Cedar, Spring, Taylor, Talbot, Turner, Vancleve, Wells, Weygandt, Whitaker and Younger—86.

On motion, the further proceeding under the call of the House was dispensed with.

Mr. Dade moved that the joint rules of the House be suspended, to enable Mr. Taylor to introduce a bill.

The Speaker *pro tem.*, Mr. Campbell, ruled the motion out of order, it being in conflict with the joint rule of the two Houses prohibiting the introduction of bills in either House after April 15th.

Mr. Taylor appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the House?" the ayes and noes were demanded, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Ballew, Bashaw, Bohannon, Brewer, Brown, Bryan, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Diercks, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer,

Gwynne, Hayes, Hale, Hammons, Harrigan, Hubbard, Helm, Kendall, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mudd of Lincoln, McElvain, McGarry, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Wells and Weygandt—74.

NOES—Messrs. Adams, Alldridge, Andrews, Berry, Bonham, Campbell of Atchison, Cowan of Christian, Crowther, Harrington, Harrison, Ingram, Larimore, Moler, McCormick of Washington, McCormick of St. Louis city, Powell, Taylor and Tiernan—18.

ABSENT—Messrs. Beckner, Berryman, Booth, Boulware, Burford, Davis, Dawson, Dilley, Haynes, Johnson, Lackland, Mabrey, Maynard, Miles, Mott, Mudd of St. Louis, McKill, O'Malley, Pollock, Smith of Cedar, Swank, Whitaker, Wiley, Wisby, Withers and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Brady, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dale, Dryden, Ewing, Hall, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Souder, Tevis, Waggener, Windes and Mr. Speaker—21.

SICK—Messrs. Arnold, Burrows, Ham and Patterson of Linn—4.

Mr. Dade introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in regard to suspending operations of joint and concurrent resolutions limiting introduction of bills to April 15th; which was read the first time and laid over.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, to whom was referred substitute for House bill No. 453, entitled An act to amend section 32 of chapter 27 of the General Statutes of Missouri, entitled of county surveyors, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House joint and concurrent resolution No. 60, entitled Joint and concurrent resolution to authorize and empower the Governor to institute suits to recover on bonds of State officers; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Leave of absence was granted Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Burford, Dade, Cowan of Christian, Gray, Harrison, Ingram, Cloud, Knight, Younger, Whitaker, Reynolds, Powell, Johnson, Palmer, Withers and Crowther for the afternoon.

Mr. Powers moved to reconsider the vote by which House bill No. 689 failed to pass; which was agreed to.

House bill No. 689, entitled An act to appropriate money for the relief of L. H. Linville, former sheriff and collector of Wayne county; was taken up.

The question being upon the passage of the bill, the roll was called, and the bill again failed to pass, by the following vote:

AYES—Messrs. Bashaw, Berry, Berryman, Brewer, Brown, Bryan, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cox, Creager, Crow, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hammons, Harrigan, Harrington, Kendall, Kneisley, Lesueur, Lockhart, Louthan, Mahn, Manistre, Moler, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, Organ, Palmer, Phelan, Powers, Price, Ragan, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Vaneleve, Warren and Wisby—61.

NOES—Messrs. Bonham, Campbell of Atchison, Cook, Craig, Crowther, Diercks, Foster, Haynes, Hubbard, Larimore, Lynn, Mackey, Mudd of Lincoln, McKill, Pehle, Pollard and Wells—17.

ABSENT—Messrs. Booth, Boulware, Cowan of Holt, Davis, Hale, Helm, Lackland, Mabrey, Maynard, Miles, Mott, O'Malley, Patterson of Schuyler, Pollock, Saunders, Swank, Tiernan, Weygandt and Wiley—19.

ABSENT WITH LEAVE—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Bohannon, Bowman, Brady, Burford, Carleton, Carroll, Cloud, Cooper, Cowan of Christian, Dade, Dale, Dryden, Ewing, Gray, Hall, Harrison, Hynes, Ingram, Johnson, Knight, McDaniel, McElvain, McIntyre, Pepper, Powell, Rawlings, Reynolds, Souder, Tevis, Waggener, Whitaker, Windes, Withers, Younger and Mr. Speaker—41.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

Senate substitute No. 2 for Senate bill No. 76, entitled An act revising and amending the laws relating to the normal schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act; was called up and read the first time.

Senate bill No. 201, entitled An act to revise and amend an act establishing probate courts, approved April 9, 1879; was called up and read the first time.

Mr. Campbell of St. Louis, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bill No. 704, entitled An act to amend an amendment to an act approved March 7, 1867, which is an amendment to an act to incorporate the town of Pleasant Hill, approved March 14, 1857, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 704; was taken up.

On motion of Mr. Campbell of St. Louis, the bill was indefinitely postponed.

Mr. Pehle moved to reconsider the vote by which House bill No. 645 failed to pass; which was agreed to.

House bill No. 645, entitled An act to provide for the inspection of weights and measures, and to prevent the use of false and fraudulent weights and measures; was taken up.

The question being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Bashaw, Berry, Bonham, Boulware, Brady, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Foster, Freed, Greer, Gwynne, Hayes, Hammons, Harrigan, Harrington, Hubbard, Helm, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Vancleve, Warren, Weygandt and Wisby—77.

NOES—Messrs. Berryman, Brewer, Chitwood, Craig, Ellis, Finks, Hale, Ham and Wells—9.

ABSENT—Messrs. Booth, Davis, Farr, Haynes, Kendall, Lackland, Mabrey, Miles, Mott, Pollock, Swank and Wiley—12.

ABSENT WITH LEAVE—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Beckner, Bohannon, Bowman, Burford, Carleton, Carroll, Cloud, Cooper, Cowan of Christian, Dade, Dale, Dryden, Ewing, Gray, Hall, Harrison, Hynes, Ingram, Johnson, Knight, McDaniel, McElvain, McIntyre, Pepper, Powell, Rawlings, Reynolds, Souder, Tevis, Waggener, Whitaker, Windes, Withers, Younger and Mr. Speaker—40.

SICK—Messrs. Arnold, Burrows, Ham, McKinney and Patterson of Linn—5.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Haynes, Mr. McCormick of St. Louis city was added to the Committee on Criminal Jurisprudence.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

NINETY-NINTH DAY—WEDNESDAY, May 7, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Mr. Boulware offered the following resolution :

Resolved, That the chaplain receive only one dollar per day for the remainder of the session after this day, and that the members of this House ask no other compensation for the remainder of the session, than is specified in the Constitution; which was read and not adopted.

Mr. Farr offered the following resolution :

Resolved, That the use of this hall be tendered the State Superintendent of Public Schools, for this evening at 7½ o'clock, for the purpose of discussing the merits of the Senate school bill, now pending before this House; which was read and not adopted.

Senate substitute for Senate bill No. 76, entitled An act revising and amending the laws relating to the normal schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act; was called up, read the second time, and, on motion, referred to the Committee on Education.

Senate bill No. 201, entitled An act to revise and amend an act establishing probate courts, approved April 9th, 1877; was called up,

read the second time, and, on motion, referred to the Committee on Judiciary.

House joint and concurrent resolution No. 61, entitled Joint and concurrent resolution in regard to suspending operation of joint and concurrent resolution limiting introduction of bills to 15th of April; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

The following message was received from the Governor, through his Private Secretary, Mr. Yost.

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 6th, 1879. }

Hon J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to provide a uniform system for canceling county warrants;

An act to revise chapter 146 of the General Statutes of Missouri, and all acts amendatory thereto, relating to juries.

Very Respectfully,

JOHN S. PHELPS.

Which was read.

Substitute for House bill No. 453, entitled An act to amend section 32 of chapter 27 of the General Statutes of Missouri, entitled of county surveyors; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—106.

NOES—Messrs. Dade, Dale, Hayes, McKill and Mr. Speaker—5.

ABSENT—Messrs. Bashaw, Berryman, Booth, Haynes, Lackland, Mabrey, McCormick of St. Louis city, Powell, Spring, Taylor, Vancleve and Wisby—12.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Dryden, Ewing, Hall, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—17.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Ballew moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made; was taken up, with House amendments Nos. 1, 2, 3, 4 and 5 thereto, in which the Senate refused to concur.

Mr. Davis moved that the House insist upon all of its amendments; which was agreed to.

Mr. Davis moved that a committee of conference, consisting of three members, be appointed by the Speaker to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 1, 2, 3, 4 and 5 to Senate substitute for Senate bill No. 194; which was agreed to.

The Speaker appointed as said committee on the part of the House, Messrs. Davis, Palmer and Bowman.

Substitute for House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Berry, Bohannon, Bonham, Boulware, Brady, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles,

Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—102.

NOES—Messrs. Beckner, Dade, Dale, Diercks, Kneisley, Louthan and Pehle—7.

ABSENT—Messrs. Bashaw, Berryman, Booth, Brewer, Campbell of Atchison, Haynes, Lackland, Mabrey, McCormick of St. Louis city, Patterson of Schuyler, Pollock, Tiernan and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dryden, Ewing, Hall, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—18.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Berry, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Harrington, Harrison, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Withers, Younger and Mr. Speaker—101.

NOES—Messrs. Beckner and Louthan—2.

ABSENT—Messrs. Adams, Bashaw, Booth, Campbell of Atchison, Cloud, Dade, Hale, Hammons, Haynes, Harrigan, Hubbard, Lackland, Mabrey, McCormick of St. Louis city, Tiernan, Vancleve and Wisby—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cloud, Cooper, Dryden, Ewing, Hall, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—19.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.
The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Tevis for four days, on account of sickness in family.

The hour of 10 o'clock having arrived, the roll of the House was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Wiley, Withers and Younger—118.

Mr. Berryman was reported sick.

Leave of absence was granted Mr. Withers for seven days.

House bill No. 126, entitled An act to appropriate money to pay Joseph W. Branch; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Brady, Collins, Cowan of Holt, Crow, Dryden, Foster, Hayes, Harrigan, Harrington, Hubbard, Johnson, Kneisley, Lockhart, Manistre, Maynard, Mott, Mudd of St. Louis, McCormick of St. Louis city, McGarry, O'Malley, Phelan, Pollock, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Tiernan and Wells—29.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Boulware, Brewer, Burford, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Coleman, Cowan of Christian, Cox, Craig, Creager, Dade, Dale, Davis, Diercks, Dodson, Drum, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hale, Hammons, Harrison, Helm, Ingram, Kendall, Knight, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick

of Washington, McElvain, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pebble, Pollard, Powell, Powers, Price, Riley, Reynolds, Swank, Talbot, Turner, Warren, Weygandt, Whitaker, Younger and Mr. Speaker—71.

ABSENT—Messrs. Bashaw, Bohannon, Bonham, Booth, Brown, Bryan, Chilton, Cock, Cook, Crowther, Dawson, Dilley, Dougherty, Haynes, Lackland, Morrison, Settles, Spring, Vancleve, Wiley and Wisby—21.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Ewing, Hall, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Souder, Tevis, Waggener, Windes and Withers—18.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Mr. Vancleve offered the following resolution:

Resolved, That the State Auditor and State Treasurer are hereby requested to submit, at their earliest practical moment, their separate statements respecting the Treasury, showing; *First*, The actual expenditures during this year, to the first of May, and the estimated expenditures for the residue of this year, which may be required by existing laws; *Second*, The amount of money received into the Treasury, in the interest and revenue fund separately, during this year, to May 1st, and the estimated receipts for the residue of the year; also, the actual balance of cash in the Treasury on the 1st of January last; which was read and adopted.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 335, entitled An act to appropriate money out of the executor's and administrator's fund, the swamp land indemnity fund and the road and canal fund;

Also, substitute for Senate bill No. 322, entitled An act in relation to the title to the sixteenth section, in certain townships;

Also, substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record in the General Statutes in the State of Missouri;

Also, substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32, General Statutes of Missouri, concerning salaries and fees;

Also, substitute for Senate bills Nos. 209 and 70, entitled An act to revise and amend chapter 62, General Statutes of Missouri, concerning private corporations, their general powers and liabilities; in which the concurrence of the House is respectfully requested;

Also, That the Senate has taken up and passed House bill No. 206, entitled An act for the relief of Philip Zeal;

Also, House bill No. 493, entitled An act to provide for filling the office of recorder of deeds in all counties wherein such office has been separated from the office of county clerk, and adopted the emergency clause thereto;

Also, House bill No. 491, entitled An act to provide for the separation of the offices of county clerk and recorder of deeds;

Also, House bill No. 552, entitled An act relating to street railroads;

Also, House bill No. 581, entitled An act amending section 33 of an act dividing the State into judicial circuits, approved April 28, 1877;

Also, House bill No. 622, entitled An act declaring advertising rebates illegal and providing penalties for violation thereof;

Also, House bill No. 625, entitled An act authorizing the appointment of clerks for circuit attorneys in cities having a population of 200,000 inhabitants or more;

Also, House bill No. 662, entitled An act to provide that it shall not be necessary to be the owner of real estate in order to hold any office or be judge or clerk of election of cities or towns in this State; which was read.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: * Your Committee on Federal Relations, to whom was referred Senate bill No. 318, entitled An act to provide for the appointment of an agent to prosecute to settlement, all claims due the State of Missouri by the United States Government, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 318; was taken up.

Mr. Collins offered the following amendment:

Add the following to section 1: "Provided that the per centum herein allowed for the collection of said claims shall be deducted from the total amount collected for each claimant, and such claimants shall receive in full satisfaction of their respective claims, the amount so collected, less the per centum aforesaid; which was read.

Mr. Haynes offered the following substitute for the amendment:

The Governor of the State of Missouri, is hereby authorized to appoint an agent for the State of Missouri to prosecute to settlement all claims of this State against the Government of the United States which were actually adjusted and paid by the State of Missouri prior to the first day of April, 1873, for enrolling, equipping, subsisting and paying the militia forces of the State. And said agent is hereby

allowed a commission of five per cent. upon the amount that shall be recovered by him and paid by the Government of the United States to the Treasurer of the State of Missouri; and the said agent shall receive no other compensation for his services, nor for any expenses incurred in prosecuting said claims, than the said five per cent., and if no amount be recovered by him, he shall not be paid any amount whatever as a compensation for services rendered by him or expenses incurred. In case said agent succeeds in recovering any moneys from Government of the United States, as aforesaid, the same shall be paid to the Treasurer of this State, and nothing herein shall be so construed as to authorize the same or any part thereof to be paid to said agent. It shall be the duty of the Treasurer of this State, whenever any money is received by him, from the Government of the United States, upon the claims aforesaid, to certify to the Governor the amount so received, and thereupon the Governor shall certify to the Auditor of State that said agent is entitled to a warrant upon the treasury, for whatever amount that five per cent. of the moneys so recovered may be; upon it being required of him, by said agent, the Auditor of State shall issue his warrant upon the Treasurer of this State, in favor of said agent, for the amount due him as certified to by the Governor as aforesaid, to be paid out on the amount recovered by said agent as aforesaid; which was read.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President has appointed as a second committee of conference to adjust the differences between the House and Senate on substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes, concerning curators, guardians and wards, etc., etc., Senators Major, DeArmond and Parrish.

Also, that the President has appointed Senators Morrisson, Byrns and Wilson, on the part of the Senate to confer with Messrs. Davis, Palmer and Bowman, on the part of the House, on substitute for Senate Bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, etc.

Also, there has been introduced into and passed the Senate, concurrent resolution No. 25, entitled Concurrent resolution to appoint a committee to settle with the State Treasurer, in which the concurrence of the House is respectfully requested; which was read.

Senate concurrent resolution No. 25, entitled Concurrent resolution to appoint a committee to settle with the State Treasurer; was called up and read the first time.

The House resumed the consideration of Senate bill No. 318.

The question being upon agreeing to the substitute offered by Mr. Haynes for the amendment offered by Mr. Collins; the substitute was agreed to.

The bill, as amended, was then read the third time, and failed to pass by the following vote :

AYES—Messrs. Adams, Arnold, Ballew, Berry, Bohannon, Boulware, Brady, Brewer, Brown, Bryan, Chenoweth, Chitwood, Cook, Cowan of Holt, Cox, Creager, Crowther, Dade, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hammons, Haynes, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lockhart, Louthan, Lynn, Mackey, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McIntyre, McKill, McKinney, Palmer, Patterson of Schuyler, Pollard, Powers, Reynolds, Spring, Swank, Talbot, Tiernan, Vancleve, Wells and Mr. Speaker—67.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Bonham, Booth, Burford, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cloud, Cock, Coleman, Collins, Cowan of Christian, Craig, Crow, Davis, Dawson, Dryden, Farr, Gray, Hale, Helm, Lesueur, Mabrey, Mahn, Manistre, Miles, Mott, McCormick of Washington, McDaniel, McGarry, O'Malley, Organ, Pehle, Phelan, Pollock, Powell, Price, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Turner, Warren, Weygandt, Wiley, Withers and Younger—50.

ABSENT—Messrs. Harrigan, Lackland, Maynard, Ragan, Saunders, Taylor, Whitaker and Wisby—8.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Ewing, Hall, Hynes, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—14.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute Nos. 1 and 2 for Senate bill No. 75, entitled An act to revise and amend chapters 2 and 3, General Statutes of Missouri, concerning popular elections and congressional districts and elections, and the election of electors of President and Vice-President;

Also, substitute in part for Senate bill No. 64, entitled An act to revise and amend title 51, chapter 224, General Statutes of Missouri, concerning the construction of statutes and legal phrases, in which the concurrence of the House is respectfully requested ;

Also, Senate substitute for House bill No. 3, entitled An act to repeal an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877 ; which was read.

Mr. McIntyre moved to reconsider the vote by which Senate substitute No. 2 for Senate bill No. 90 was referred to the Committee on Judiciary.

The ayes and noes being demanded, the motion to reconsider prevailed by the following vote :

AYES—Messrs. Arnold, Ballew, Bashaw, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cock, Coleman, Collins, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Hammons, Harrigan, Hubbard, Helm, Knight, Lackland, Lesueur, Louthan, Lynn, Mahn, Manistre, Maynard, Mott, McDaniel, McGarry, McIntyre, O'Malley, Palmer, Patterson of Schuyler, Phelan, Pollock, Ragan, Saunders, Smith of St. Louis city, Taylor, Tiernan, Vancleve, Wells, Weygandt, Wiley and Mr. Speaker—64.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Chenoweth, Chitwood, Cook, Cowan of Christian, Creager, Crowther, Dade, Dale, Diercks, Greer, Harrison, Ingram, Johnson, Kendall, Kneisley, Larimore, Lockhart, Mackey, Miles, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McKinney, McKill, Organ, Pehle, Powell, Powers, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Warren, Whitaker, Withers and Younger—48.

ABSENT—Messrs. Cloud, Gray, Harrington, Mabrey, Moler, Mudd of St. Louis, McCormick of St. Louis city, Pollard, Price, Riley, Settles, Swank and Wisby—13.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Ewing, Hall, Haynes, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—14.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Senate substitute No. 2 for Senate bill No. 90, entitled, an act to revise and amend chapter 24 of the General Statutes, concerning clerks of courts of record ; was taken up.

Mr. McIntyre moved to reconsider the vote by which the following House amendment thereto was agreed to :

Amend section 4 by striking out the word, "three," and insert in lieu thereof the word, "two," in the second-line of said section.

The question being upon the motion to reconsider the vote by which the amendment was agreed to,

The ayes and noes were demanded, and the motion to reconsider prevailed by the following vote :

AYES—Messrs. Arnold, Bashaw, Booth, Brady, Brewer, Bryan, Campbell of St. Louis city, Chilton, Cock, Coleman, Collins, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Farr, Finks, Foster, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Hubbard, Helm, Knight, Lackland, Lesueur, Louthan, Lynn, Manistre, Maynard, Mott, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Phelan, Pollock, Ragan, Saunders, Smith of St. Louis city, Swank, Taylor, Tiernan, Vancleve, Wells, Weygandt, Wiley and Mr. Speaker—59.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Chenoweth, Chitwood, Cook, Cowan of Christian, Creager, Crowther, Dade, Dale, Diercks, Drum, Greer, Harrington, Harrison, Ingram, Johnson, Kendall, Kneisley, Larimore, Lockhart, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Powell, Powers, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Warren, Whitaker, Withers and Younger—55.

ABSENT—Messrs. Campbell of Atchison, Cloud, Freed, Gray, Mabrey, Palmer, Pollard, Price, Riley, Settles and Wisby—11.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Ewing, Hall, Hynes, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—14.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4

Mr. McIntyre moved that the amendment be rejected.

The ayes and noes being demanded, the motion to reject prevailed by the following vote :

AYES—Messrs. Arnold, Bashaw, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cock, Coleman, Collins, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Hammons, Haynes, Harrigan, Hubbard, Helm, Knight, Lackland, Lesueur, Louthan, Lynn, Mahn, Manistre, Maynard, Moler, Mott, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, O'Malley, Phelan, Pollock, Ragan, Saunders, Smith of St. Louis city, Swank, Taylor, Tiernan, Vancleve, Weygandt, Wiley and Mr. Speaker—62.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brown, Burford, Chenoweth, Chitwood, Cook, Cowan of Christian, Dade, Dale, Diercks, Drum, Greer, Harrington, Harrison, Ingram, Johnson, Kendall, Larimore, Lockhart, Mabrey, Mackey, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, McKinney, Organ, Patterson of Schuyler, Pehle, Powell, Powers, Reynolds, Smith of Cedar, Spring, Talbot, Turner, Warren, Whitaker, Withers and Younger—51.

ABSENT—Messrs. Cloud, Creager, Crowther, Gray, Kneisley, Palmer, Pollard, Price, Riley, Settles, Wells and Wisby—12.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Ewing, Hall, Hynes, Pepper, Rawlings, Souder, Tevis, Waggener and Windes—14.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

On motion, the bill was recommitted to the Committee on Judiciary.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that, in compliance with the request of the House, concerning substitute No. 29 for Senate bill No. 52, entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions, the President has appointed as a Committee of Conference on the part of the Senate, Senators Ballingal, Murray and Wallace, to act with Messrs. Dryden, Farr and McCormick; which was read.

Mr. Bashaw, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred Senate substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor and proceedings thereon, beg leave to report that they have considered the same, and recommend that said bill and the accompanying amendments, Nos. 13 and 14, do pass; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 131, entitled An act to amend sections 30 and 31 of chapter 41 of the General Statutes of Missouri, entitled of the incorporation of towns, election and powers of trustees, etc., the same being sections 30 and 31 of chapter 134 of Wagner's Missouri Statutes,

and by adding a new section thereto, to be known as section 18 of chapter 42, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Hayes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Senate substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining offenses, prescribing punishments therefor and proceedings thereon; was taken up, with the amendments recommended by the Committee on Criminal Jurisprudence.

Pending the consideration of which,

On motion of Mr. Davis, the House took a recess until 2½ o'clock, P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Senate substitute for Senate bills Nos. 57 and 108, entitled An act to revise and amend title 30 of the General Statutes of the State of Missouri, concerning voluntary assignments; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 362, entitled An act in relation to courts of common pleas; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 358, entitled An act concerning executions; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2 of the General Statutes of Missouri, concerning popular elections; was called up and read the first time.

Senate substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri; was called up, and read the first time.

Senate Substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32, of the General Statutes of the State of Missouri, concerning salaries and fees; was called up and read the first time.

Senate bill No. 335, entitled An act to appropriate money out of the executors and administrator's fund, the swamp land indemnity fund and the road and canal fund; was called up and read the first time.

Senate substitute for Senate bill No. 322, entitled An act in relation to the title to the sixteenth section in certain townships; was called up and read the first time.

Senate Substitute for Senate bills Nos. 209 and 70, entitled An act to revise and amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, their general powers and liabilities; was called up and read the first time.

Senate substitute No. 2 for Senate bill No. 75, entitled An act to revise and amend chapter 3, title 2, of the General Statutes of the State of Missouri, concerning congressional districts and elections, and the election of elections of President and Vice President; was called up and read the first time.

Senate substitute in part for Senate bill No. 64, entitled An act to revise and amend title 51, chapter 224, of the General Statutes of the State of Missouri, concerning the construction of statutes and legal phrases; was called up and read the first time.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 611, entitled An act for the protection of orphans and children of poor parents, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 611; was taken up, and the House refused to order the bill to engrossment and printing.

The House resumed the consideration of Senate substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining offenses, prescribing punishments therefor and proceedings thereon, pending at the hour of recess.

The question being upon agreeing to amendments Nos. 12 and 13, recommended by the Committee on Criminal Jurisprudence.

Amendment No. 12—Amend by striking out section six hundred and seventy-five (675) of the printed bill; was read and agreed to.

Amendment No. 13—Amend section 120 by striking out the words "if loss occur by reason of such deposit," in lines 20 and 21 of the engrossed bill; was read and agreed to.

Mr. McCormick of St. Louis city offered the following amendment:

Amend chapter 2, section 6, line 5, by inserting the word "larceny," after the word "burglary," and before the word "or;" which was read and not agreed to.

Mr. McDaniel moved to reconsider the vote by which the House agreed to amendment No. 13, recommended by the Committee on Criminal Jurisprudence; which was not agreed to.

Mr. Booth offered the following amendment;

Amend section 8 by striking out all that part thereof before the word "persons," in the fourth line of said section, as per printed bill; which was read and not agreed to.

The bill as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dödsen, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McElvain, McGarry, McKill, McKinney, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Wells, Weygandt, Wiley and Withers—99.

NOES—Messrs. Beckner, Booth, Burford, Chitwood, Cowan of Christian, Dade, Davis, Ingram, Organ, Palmer, Powell, Warren, Whitaker, Wisby and Mr. Speaker—15.

ABSENT—Messrs. Alldridge, Berryman, Chenoweth, Collins, Freed, Lackland, O'Malley, Pollock and Younger—9.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener and Windes—17.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate substitute for Senate bill No. 103, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title thirty-two of the General Statutes of the State of Missouri, concerning estates of deceased persons, in which the concurrence of the House is respectfully requested; which was read.

Leave of absence was granted Mr. Saunders for five days, and Mr. Hammons for eight days.

Senate substitute for Senate bills Nos. 86 and 207, entitled Acts to revise and amend title 4, chapter 10 of the General Statutes of the State of Missouri, concerning the treasury department; was taken up with House amendments Nos. 2, 5, 7, 11, 14, 15, 16 and 17 thereto, in which the Senate refused to concur.

Mr. Davis moved that the House insist upon all of its amendments to the bill; which was agreed to.

Mr. Davis moved that a Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering House amendments Nos. 2, 5, 7, 11, 14, 15, 16 and 17 to Senate substitute for Senate bills Nos. 86 and 207; which was agreed to.

The Speaker appointed as said committee on the part of the House, Messrs. Davis, Wells and Dade.

Mr. Lackland, from the Committee of Conference, on section fifty-two of Senate substitute for Senate bill No. 231, submitted the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred the consideration of the differences between the Senate and House of Representatives, on section fifty-two of substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants,

adoption of children and change of name, beg leave to report that they have considered the same, and agreed upon the following substitute for said section 52, as an adjustment of the said differences of the two Houses, and recommend that the same do pass:

Substitute for section 52. Section 52. Guardians and curators shall make final settlement of their guardianship or curatorship upon cessation of their authority, whether by revocation, resignation, the majority of their wards or the marriage of female wards. And for the purpose of said settlement, such guardian or curator shall make a just and true exhibit of the account between himself and his ward, and file the same in the court having jurisdiction thereof, and cause a copy of such exhibit, together with a written notice stating the day on which and the court in which he will make such settlement, to be delivered to his ward, or, in case of the marriage of a female ward, to the ward and her husband, or, in case of revocation or resignation, to the succeeding guardian or curator, at least four weeks next before the first day of the term of the court at which such settlement is, according to the terms of such notice, to be made; *Provided*, That if for any cause, a copy of such exhibit and such written notice can not be delivered to the ward or other person entitled thereto, the probate court may order notice of the filing of such exhibit and of the time and place at which final settlement is to be made, to be given by publication, for four weeks next before the first day of the term at which such settlement is to be made, in some newspaper printed in the English language and published in the county, if there be one, and if not, then by printed hand bills, put up in at least six of the most public places in the county, to be designated by the court. At the time specified in such notice, the court, upon satisfactory proof of the delivery of a copy of such exhibit and written notice of such settlement to the ward or person entitled thereto, as above required, or in case the court shall have ordered notice to be given by publication as above provided, then upon proof of compliance with such order, shall proceed to examine the accounts of such guardian or curator, correct all errors therein, if any there be, and make final settlement with such guardian or curator, or the court may, for good cause, continue the settlement, and proceed therein at any time agreed upon by the parties or fixed by the court. S. C. Major, D. A. DeArmond, T. H. Parrish, H. C. Lackland, John D. S. Dryden, D. H. McIntyre, Committee; which was read.

The question being up the adoption of the report,

The roll was called and the report adopted by the following vote:

AYES—Messrs. Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Bryan, Campbell of Atchison,

Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Hayes, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Warren, Wells, Weygandt, Wiley, Wisby and Mr. Speaker—100.

NOES—Messrs. Beckner, Burford and Swank—3.

ABSENT—Messrs. Adams, Alldridge, Andrews, Brown, Collins, Crow, Dougherty, Freed, Gwynne, Ingram, Knight, Manistre, O'Malley, Pollock, Vancleve, Whitaker and Younger—17.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Tevis, Waggener, Windes and Withers—19.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

The following message was received from the Senate through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the committee of conference appointed to adjust the differences between the House and Senate on substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians, and wards, masters, apprentices and servants, adoption of children and change of name, and request the concurrence of the House therein; which was read.

The following message was reported from the Senate by its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and failed to pass House bill No. 339, entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877.

On motion of Mr. Gwynne, the House refused to receive the foregoing message, and the Chief Clerk was instructed to return the same to the Senate.

House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties; was called up with the Senate amendments thereto, (said amendments having been printed).

On motion of Mr. Lesueur, the further consideration of the bill and amendments was postponed and made the special order for to-morrow (Thursday) at 10 o'clock, A. M.

Mr. Powell, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 388, entitled An act to amend an act entitled an act to regulate the fees of collectors of State and county revenue, approved May 2, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 388, was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

On motion of Mr. Pollard, House bill No. 553 was made the special order for to-morrow (Thursday), at 2½ o'clock P. M.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 399, entitled An act to preserve the public school funds of cities and towns of this State, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills, to whom was referred House bill No. 698, entitled An act to amend chapter 117 of the General Statutes of Missouri, concerning masters, apprentices and servants, by adding thereto a new section, beg leave to report that they have examined the same, and find it truly engrossed, and that the printed copy furnished to the members is correct; which was read.

House bill No. 339, entitled An act to preserve the public school funds of cities and towns of this State; was called up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Cook, Cox, Craig, Creager, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Helm, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker and Wisby—100.

NOES—Mr. Johnson—1.

ABSENT—Messrs. Andrews, Berryman, Bonham, Coleman, Collins, Cowan of Christian, Cowan of Holt, Crow, Freed, Harrigan, Hubbard, Ingram, Knight, Lesueur, Maynard, Pollock, Swank, Vancleve, Wiley, Withers, Younger and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Cooper, Carleton, Carroll, Dryden, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener and Windes—17.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds, for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1879, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 166; was taken up.

On motion, the further consideration of the bill was postponed and made the special order for May 8th, at 9½ o'clock A. M.

Senate substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of

Missouri, concerning attachments; was taken up, with House amendment No. 2, in which the Senate refused to concur.

On motion, the House receded from its amendment.

The question being upon agreeing to section 75 of the bill, the roll was called, and the section was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker, Wisby and Mr. Speaker—94.

NOES—Mr. Dilley—1.

ABSENT—Messrs. Andrews, Bashaw, Beckner, Berry, Berryman, Brady, Burford, Coleman, Collins, Dade, Davis, Foster, Farr, Freed, Gwynne, Harrigan, Knight, Lesueur, Manistre, Maynard, Miles, Phelan, Pollock, Swank, Vancleve, Wiley, Withers and Younger—28

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener and Windes—17.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Taylor moved to reconsider the vote by which the section was agreed to, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Riley, the House took a recess until 7½ o'clock P. M.

EVENING SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

On motion of Mr. Lackland, the Committee on Judiciary was granted leave of absence for the evening.

House bill No. 131, entitled An act to amend sections 30 and 31

of chapter 41 of the General Statutes of Missouri, entitled of the incorporation of towns, election and power of trustees, etc., the same being sections 30 and 31 of chapter 134 of Wagner's Missouri Statutes, and by adding a new section thereto, to be known as section 18 of chapter 42; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Ballew, Berry, Boulware, Brewer, Brown, Chitwood, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Ewing, Greer, Harrison, Helm, Ingram, Larimore, Lesueur, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKinney, Powers, Price, Ragan, Smith of Cedar, Swank and Tiernan—38.

NOES—Messrs. Adams, Alldridge, Bashaw, Beckner, Bohannon, Bonham, Chilton, Cloud, Cock, Coleman, Craig, Drum, Ellis, Farr, Finks, Haynes, Kneisley, Knight, Louthan, Lynn, Mackey, Mahn, Manistre, Mott, McCormick of St. Louis city, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Riley, Reynolds, Smith of St. Louis city, Spring, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Whitaker, Wiley, Wisby, Withers, Younger and Mr. Speaker—48.

ABSENT—Messrs. Andrews, Berryman, Bowman, Brady, Bryan, Burford, Campbell of Atchison, Chenoweth, Dade, Dale, Davis, Dille, Dawson, Foster, Freed, Gray, Hayes, Hale, Harrigan, Harrington, Hubbard, Johnson, Kendall, Lockhart, Moler, O'Malley, Pollock, Pollard, Powell, Settles, Taylor and Weygandt—32.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Booth, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, Lackland, Mabrey, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener and Windes—22.

SICK—Messrs Burrows, Ham and Patterson of Linn—3.

Mr. Manistre moved to reconsider the vote by which the bill failed to pass.

Mr. Gwynne moved to lay the motion to reconsider on the table; which was agreed to.

House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes, and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30th, 1872, approved April 12th, 1877, by adding a new section thereto, to be known as section 22; was taken up.

On motion, the further consideration of the bill was postponed, and made the special order for to-morrow morning at eleven o'clock.

Mr. Organ, from the Committee on Public Printing, submitted the following report :

MR. SPEAKER: Your Committee on Public Printing, to whom was referred substitute for Senate bill No. 58, entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matters, beg leave to report that they have considered the same, and recommend that it do pass: which was read.

Substitute for Senate bill No. 58; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Ballew, Bashaw, Bohannon, Bonham, Boulware, Brewer, Brown, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Greer, Hayes, Haynes, Harrington, Harrison, Helm, Kendall, Kneisley, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Warren, Wells, Weygandt, Whitaker, Withers and Mr. Speaker—80.

NOES—Messrs. Beckner, Cowan of Christian, Knight, Wiley and Younger—5.

ABSENT—Messrs. Andrews, Berry, Brady, Bryan, Burford, Campbell of Atchison, Dade, Dale, Davis, Dilley, Finks, Foster, Freed, Gray, Hale, Harrigan, Hubbard, Ingram, Johnson, Lockhart, Manistre, Miles, Moler, Morrison, O'Malley, Pollock, Pollard, Powell, Settles, Tiernan and Wisby—31.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Booth, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dryden, Gwynne, Hall, Hammons, Hynes, Lackland, Mabrey, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener and Windes—23.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.
The title of the bill was read and agreed to.

Mr. Organ moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Organ, from the Committee on Public Printing, submitted the following report :

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Senate substitute No. 2 for Senate bills Nos. 77 and 158

entitled An act to revise and amend chapter seven of the General Statutes of the State of Missouri, concerning the custody, publication and distribution of the laws and journals, etc., beg leave to report that they have considered the same, and recommend that it do pass ; which was read.

Senate substitute Nos. 2 for Senate bills Nos. 77 and 158 ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Brewer, Brown, Chenoweth, Chilton, Chitwood, Cloud, Cook, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Greer, Hayes, Haynes, Harrington, Harrison, Helm, Kendall, Kneisley, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Riley, Reynolds, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt and Withers—77.

NOES—Messrs. Drum, Knight, Wisby, Younger and Mr. Speaker—5.

ABSENT—Messrs. Andrews, Brady, Bryan, Burford, Campbell of Atchison, Dade, Dale, Davis, Dawson, Dilley, Foster, Freed, Gray, Hale, Harrigan, Hubbard, Ingram, Johnson, Lockhart, Maynard, Miles, Moler, O'Malley, Pollock, Pollard, Powell, Ragan, Settles, Smith of Cedar, Smith of St. Louis city, Tiernan, Vancleve and Whitaker—33.

ABSENT WITH LEAVE—Messrs. Anderson, Arnold, Booth, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dryden, Gwynne, Hall, Hammons, Hynes, Lackland, Mabrey, McDaniel, McIntyre, Pepper, Rawlings, Saunders, Souder, Waggener, Wiley and Windes—24.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

The title of the bill was read and agreed to.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

House bill No. 642, entitled An act authorizing and requiring certain officers of cities of the first class to administer, free of charge, all oaths in connection with their official duties ; was called up with the following Senate amendment thereto, said amendment having been printed :

Amend title by striking out "of the first class," and insert in lieu thereof the words "having a population of over 100,000 inhabitants;" which was read and concurred in.

On motion of Mr. Louthan, the House adjourned until 9 o'clock to-morrow morning.

ONE HUNDREDTH DAY—THURSDAY, May 8, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Powers, the further reading was dispensed with

Mr. Wells introduced a concurrent resolution, entitled Concurrent resolution in regard to adjournment of the 30th General Assembly; which was read the first time, and, on motion, referred to the Joint Committee on Revision.

Senate substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri; was taken up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute in part for Senate bill No. 64, entitled An act to revise and amend title 51, chapter 224 of the General Statutes of the State of Missouri, concerning the construction of Statutes and legal phrases; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute No. 2 for Senate bill No. 75, entitled An act to revise and amend chapter 3, title 2, of the General Statutes of the State of Missouri, concerning Congressional Districts and elections, and the election of electors of President and Vice-President; was called up, read the second time, and, on motion, referred to the Committee on Elections.

Senate substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2, of the General Statutes of Missouri, concerning popular elections; was taken up, read the second time, and, on motion, referred to the Committee on Elections.

Senate substitute for Senate bill No. 209, and for Senate bill No. 70, entitled An act to revise and amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, their general powers and liabilities; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate bill No. 335, entitled An act to appropriate money out of the executors' and administrators' fund, the swamp land indemnity fund, and the road and canal fund; was taken up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32, of the General Statutes of the State of Missouri, concerning salaries and fees; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute for Senate bill No. 322, entitled An act in relation to the 16th section, in certain townships; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Senate bill No. 103, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons; was called up, and read the first time.

Senate concurrent resolution No. 25, entitled Concurrent resolution to appoint a committee to settle with the State Treasurer; was taken up, read the second and third times, and adopted.

House bill No. 638, entitled An act to appropriate money; was taken up, with the Senate amendments thereto (said amendments having been printed.)

Amendment No. 1.—Amend section 3 by striking out the words and figures “twenty-five thousand dollars (\$25,000.00),” and inserting in lieu thereof the words and figures “thirty-five thousand dollars (\$35,000.00);” was read, and not concurred in by the following vote:

AYES—Messrs. Bashaw, Berry, Boulware, Brady, Brewer, Bryan, Campbell of St. Louis city, Chilton, Chitwood, Coleman, Cowan of Holt, Cox, Craig, Creager, Crow, Dawson, Dilley, Dodson, Dougherty, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Haynes, Harrigan, Hubbard, Helm, Kendall, Kneisley, Lackland, Lesueur, Louthan, Mabrey, Mackey, Maynard, Moler, Mudd of Lincoln, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Ragan, Riley, Settles, Smith

of St. Louis city, Taylor, Tevis, Tiernan, Turner, Vancleve, Weygandt, Wiley and Windes—57.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Bohannon, Bonham, Booth, Brown, Burford, Campbell of Atchison, Chenoweth, Cloud, Cock, Collins, Cook, Cowan of Christian, Crowther, Dade, Dale, Davis, Diercks, Drum, Ellis, Foster, Gray, Hale, Harrington, Harrison, Ingram, Johnson, Knight, Larimore, Lockhart, Lynn, Mahn, Manistre, Miles, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKinney, Pehle, Phelan, Pollard, Powell, Powers, Price, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Waggener, Warren, Wells, Whitaker and Younger—61.

ABSENT—Messrs. Berryman, Morrison, McCormick of St. Louis city, Pollock, Wisby, Withers and Mr. Speaker—7.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders and Souder—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

On motion of Mr. Davis, the further consideration of the bill and amendments were postponed until 2½ o'clock P. M.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 552, entitled An act relating to street railroads, and find the same truly and correctly enrolled; which was read.

House bill No. 552; was taken up, and read at length by the Clerk, when Mr. Davis interposed objections to the signing of the bill, on the ground that it conflicted with section 25 of article 4 of the Constitution of the State.

The question being, "Shall the House sustain the objection of the gentleman of Saline, Mr. Davis?"

The House refused to sustain the objection.

The Speaker *pro tem.* thereupon proceeded to affix his signature to the bill, when the following protest was presented against the signing thereof:

HOUSE OF REPRESENTATIVES,
JEFFERSON CITY, May, 1879. }

The undersigned, members of the House of Representatives of the Thirtieth General Assembly, respectfully protest against the signing of substitute for House bill No. 552, entitled An act relating to street railroads, for the reason that in the passage of said act, section 25 of article 4 of the State Constitution was violated, in that said bill was so amended in its passage through the House of Representatives

as to change its original purpose, said bill being a substitute for House bill No. 552, which original bill No. 552 was entitled an act to repeal an act concerning street railroads in the city of St. Louis, approved January 16, 1860, and was as follows:

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. The act entitled An act concerning street railroads in the city of St. Louis, approved January 16, 1860, is hereby repealed, and which bill was so amended by substitute as to entirely change its original purpose, said substitute reading as follows:

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. All existing street railroad companies organized under the laws of this State, which have acquired the consent of the municipal authorities of any city, town or village, to the use and occupancy by a defined route, of any of the streets of such city, town or village, for street railroad purposes, are hereby authorized and empowered to lay their track or tracks and operate their cars thereon, or operate their roads already constructed on the street or streets to the use and occupancy of which consent has been so given.

SEC. 2. All acts and parts of acts of the General Assembly of this State, passed since the adoption of the Revised Statutes of 1855, and all immunities and special privileges granted by such acts or parts of acts to any street railroad company, which conflict with or are repugnant to this act, or the provisions thereof, are hereby repealed, annulled and abrogated, in so far as they are so in conflict or repugnant. The undersigned, therefore, solemnly object and protest against the signing of said act by the Speaker of the House, the President of the Senate or the Governor of the State of Missouri; and being sworn, the undersigned state, that the matters and things set forth in the above protest, are true to the best of their knowledge and belief: D. H. Hammons, B. M. Dilley, Samuel Davis, J. H. Finks, G. S. Spring, H. J. Maynard, Martin O'Malley.

Sworn to and subscribed before me, the undersigned notary public, within and for Cole county, in the State of Missouri, this 7th day of May, A. D. 1879.

Witness my hand and notarial seal hereto attached. Done at Jefferson City, this 7th day of May, A. D. 1879.

[L. S.]

ALBERT O. ALLEN,

Notary Public,

within and for Cole county, State of Missouri. My commission expires January 7, 1883.

Which was read, and the original attached to the bill, and presented by the Chief Clerk to the Governor.

The special order being the consideration of Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1879; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Arnold, Bashaw, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—91.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Berry, Bohannon, Bonham, Burford, Cloud, Cowan of Christian, Crowther, Dade, Gray, Harrison, Ingram, Johnson, Miles, McKinney, Pehle, Powell, Reynolds, Smith of Cedar, Talbot, Wells and Whitaker—26.

ABSENT—Messrs. Berryman, Chenoweth, Creager, Dale, Kendall, Knight, Pollock, Wisby, Withers and Younger—10.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Hall, Hammons, Hynes, Pepper, Rawlings, Saunders and Souder—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Hubbard, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mott, Mudd of St. Louis city, McCormick of St. Louis city, McCormick of Washington,

McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—97.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Bohannon, Bonham, Burford, Cloud, Cowan of Christian, Creager, Crowther, Dade, Dale, Gray, Harrison, Ingram, Johnson, Knight, McKinney, Pehle, Powell, Reynolds, Smith of Cedar, Talbot, Wells, Whitaker and Younger—27.

ABSENT—Messrs. Berryman, Pollock, Wisby and Withers—4.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Carleton, Carroll, Cooper, Hall, Hammons, Hynes, Pepper, Rawlings, Saunders and Souder—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed.

Mr. Taylor moved to lay the motion to reconsider on the table; which was agreed to.

On motion of Mr. Harrigan, the 10 o'clock roll call was dispensed with.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 491, entitled an act to provide for the separation of the offices of county clerk and recorder of deeds, and find the same truly and correctly enrolled: which was read.

House bill No. 491; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 625, entitled an act authorizing appointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for his compensation, and find the same truly and correctly enrolled; which was read.

House bill No. 625; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 662, entitled An act to provide that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge or clerk of election in cities or towns of this State, and find the same truly and correctly enrolled; which was read.

House bill No. 662; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 581, entitled An act amending section 33 of an act dividing the State into judicial circuits prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 581; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 206, entitled An act for the relief of Philip Zeal, and find the same truly and correctly enrolled; which was read.

House bill No. 206 was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for that part of Senate bill No. 70, contained in chapters Nos. 63, 64, 65 and 66 of the General Statutes of Missouri, concerning corporations, in which the concurrence of the House is respectfully requested; also,

The Senate has taken up and passed House bill No. 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7, east of the fifth principal meridian; which was read.

House bill No. 647, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section six; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cock, Collins, Cook, Cowan of Christian, Craig, Creager, Crowther, Dade, Dale, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Harrison, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McElvain, McKill, McKinney, O'Malley, Organ, Patterson of Schuyler, Phelan, Pehle, Pollock, Powell, Price, Ragan, Riley, Reynolds, Settles, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Warren, Wells, Whitaker, Wiley, Windes, Wisby, Younger and Mr. Speaker—88.

NOES—Messrs. Adams, Bonham, Campbell of Atchison, Cloud, Dryden, Haynes, Harrigan, Harrington, Hubbard, Lackland, Lockhart, Mabrey, Maynard, Morrison, McCormick of St. Louis city, McGarry, Palmer, Powers, Smith of Cedar and Weygandt—20.

ABSENT—Messrs. Arnold, Berryman, Coleman, Cowan of Holt, Cox, Crow, Davis, Dawson, Diercks, Dilley, Foster, Helm, Manistre, Mott, Mudd of St. Louis, Pollard, Smith of St. Louis city, Waggener and Withers—19.

ABSENT WITH LEAVE—Messrs. Bowman, Carleton, Carroll, Cooper, Hall, Hammons, Hynes, McDaniel, McIntyre, Pepper, Rawlings, Saunders and Souder—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Booth moved to reconsider the vote by which the bill failed to pass, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of Senate substitute No. 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259, entitled An act revising and amending the laws relating to public schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act; was taken up, with the amendments recommended by the Committee on Education.

Amendment No. 1—Amend section 21 by striking out the words "or school," in lines 9, 10 and 11 of printed bill; which was read.

Mr. Price moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Boulware, Brown, Burford, Campbell of Atchison, Chitwood, Coleman, Collins, Cowan of Christian, Creager, Craig, Crow, Dale, Davis, Diercks, Dodson, Drum, Finks, Foster, Freed, Gray, Greer, Gwynne, Hale, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Louthan, Lynn, Miles, Moler, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McKill, McKinney, Organ, Powell, Price, Ragan, Reynolds, Settles, Smith of Cedar, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Younger—67.

NOES—Messrs. Adams, Bashaw, Bonham, Booth, Brady, Brewer, Bryan, Chenoweth, Chilton, Cloud, Cock, Cook, Cowan of Holt, Cox, Crowther, Dade, Dawson, Dilley, Dougherty, Ellis, Ewing, Farr, Hayes, Haynes, Harrigan, Harrington, Knight, Lackland, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, O'Malley, Palmer, Pehle, Phelan, Pollock, Pollard, Powers, Riley, Smith of St. Louis city, Tevis, Tiernan, Wiley and Mr. Speaker—53.

ABSENT—Messrs. Berryman, Lesueur, Patterson of Schuyler, Spring, Windes and Withers—6.

ABSENT WITH LEAVE—Messrs. Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, Pepper, Rawlings, Saunders and Souder—14.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Taylor moved to reconsider the vote by which the amendment was laid on the table.

Mr. Dale moved to lay the motion to reconsider on the table.

The ayes and noes being demanded, the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Boulware, Brady, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Chitwood, Coleman, Collins, Cowan of Christian, Craig, Creager, Crow, Dale, Davis, Diercks, Dodson, Drum, Finks, Foster, Freed, Gray, Greer, Gwynne, Hale, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Larimore, Louthan, Lynn, Miles, Moler, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McKill, McKinney, O'Malley, Organ, Price, Ragan, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Younger—73.

NOES—Messrs. Adams, Bonham, Booth, Bryan, Chenoweth, Chilton, Cloud, Cock, Cook, Cowan of Holt, Cox, Crowther, Dade, Dawson, Dilley, Dougherty, Ellis, Ewing, Hayes, Haynes, Harrington, Knight, Lockhart, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McGarry, McIntyre, Palmer, Phelan, Pollock, Powers, Riley, Taylor, Tevis, Tiernan, Wiley and Mr. Speaker—44.

ABSENT—Messrs. Berryman, Farr, Lackland, Lesueur, Patterson of Schuyler, Pehle, Pollard, Powell, Spring and Withers—10.

ABSENT WITH LEAVE—Messrs. Bowman, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, McDaniel, Pepper, Rawlings, Saunders and Souder—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The special order being the consideration of House bill No. 553, entitled An act to classify the railroads of this State, as well as the commodities they transport; to regulate and prescribe the tariff of charges thereon; to establish maximum passenger fare, and to repeal an act entitled an act to regulate the charges of railroad companies, and to provide for the appointment of railroad commissioners, and to prescribe their power and duties, approved March 29, 1875, and to repeal all other conflicting acts or parts of acts; was taken up.

On motion, the bill was recommitted to the Committee on Internal Improvements.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 588, entitled An act to amend section 15 of chapter sixty-nine of the General Statutes of Missouri, and find the same truly and correctly engrossed, and the printed copies furnished the members are correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 643, entitled An act to regulate fees, and find the same truly and correctly engrossed, and that the printed copies furnished the members are correct; which was read.

Mr. Haynes, from the Committed on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined substitute for House bill No. 678, entitled An act regulating the compensation of

the sheriff of St. Louis, and find the same truly and correctly engrossed, and the printed copy furnished members correctly printed which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments, and find the same truly and correctly engrossed, and the copy furnished members correctly printed; which was read.

The special order being the consideration of House bill No. 470, entitled An act to amend an act entitled an act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing section 184 of an act entitled an act concerning the assessment and collection of the revenue, approved March 30, 1872, approved April 12, 1877, by adding a new section thereto, to be known as section 22; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Berry, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Cheno-weth, Chilton, Cloud, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Dade, Dale, Dilley, Dougherty, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Hale, Haynes, Harrigan, Harrington, Hubbard, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lynn, Mackey, Mahn, Maynard, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Vancleve, Warren, Wells, Weygandt, Wiley, Windes and Mr. Speaker—79.

NOES—Messrs. Alldridge, Arnold, Beckner, Bonham, Burford, Campbell of Atchison, Chitwood, Coleman, Cowan of Christian, Creager, Crowther, Dawson, Diercks, Dodson, Drum, Dryden, Greer, Hayes, Harrison, Helm, Kendall, Lockhart, Louthan, Mabrey, Manistre, Mudd of St. Louis, McKinney, Organ, Powell, Powers, Smith of Cedar, Swank, Turner, Waggener and Whitaker—35.

ABSENT—Messrs. Berryman, Brady, Cock, Davis, Gwynne, Knight, Larimore, Miles, Morrison, Pollard, Wisby, Withers and Younger—13.

ABSENT WITH LEAVE—Messrs. Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Hall, Hammons, Hynes, McDaniel, Pepper, Rawlings, Saunders and Souder—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The emergency clause was not adopted by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Berry, Bohannon, Booth, Boulware, Brewer, Bryan, Chilton, Collins, Cook, Cox, Craig, Crow, Dale, Diercks, Dilley, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Hayes, Hale, Haynes, Harrigan, Harrington, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lynn, Mackey, Mahn, Moler, Morrison, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Riley, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Wiley and Windes—72.

NOES—Messrs. Alldridge, Beckner, Bonham, Burford, Chitwood, Coleman, Cowan of Christian, Creager, Crowther, Dodson, Drum Greer, Harrison, Lockhart, Louthan, Mabrey, Manistre, Mudd of St. Louis, McKinney, Organ, Smith of Cedar, Swank and Whitaker—23.

ABSENT—Messrs. Bashaw, Berryman, Brady, Brown, Campbell of Atchison, Chenoweth, Cloud, Cock, Cowan of Holt, Dade, Davis, Dawson, Freed, Gwynne, Knight, Lackland, Larimore, Maynard, Miles, Mott, McCormick of Washington, Pollard, Powell, Ragan, Reynolds, Tiernan, Warren, Wisby, Withers, Younger and Mr. Speaker—31.

ABSENT WITH LEAVE—Messrs. Anderson, Bowman, Campbell of St. Louis city, Carleton, Carroll, Cooper, Hall, Hammons, Hynes, McDaniel, Pepper, Rawlings, Saunders and Souder—14.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Leave of absence was granted Mr. Taylor from to-morrow at noon until Monday.

Leave of absence was granted Mr. Pehle for four days from to-morrow at noon.

The special order being the consideration of House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties ; was taken up with the Senate amendments thereto.

Amendment No. 1—Amend section 3 by striking out all of said section and inserting the following : Section 3. The State Treasurer,

State Auditor and Attorney-General, shall be ex-officio Inspectors of the Penitentiary, either two of whom shall constitute a quorum, with full power to do any act required of them as said Inspectors. They shall, before entering upon their duties as Inspectors, severally take and subscribe to an oath to faithfully and impartially perform the several duties belonging to said office of Inspector, such oath to be filed in the office of Secretary of State, and as full compensation for their services said Inspectors shall receive the sum of two hundred and fifty dollars; which was read.

Pending discussion on the amendment,

On motion of Mr. Farr, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

The House resumed the consideration of House bill No. 444, entitled An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties, pending at the hour of recess.

The question being upon concurring in Senate amendment No. 1 thereto, the roll was called, and the House refused to concur therein by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Brewer, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cowan of Holt, Cox, Davis, Dawson, Dilley, Dougherty, Drum, Ellis, Greer, Gwynne, Hale, Harrigan, Hubbard, Helm, Knight, Lackland, Lynn, Mabrey, Maynard, Moler, Mudd of Lincoln, McCormick of Washington, McGarry, McIntyre, McKinney, Organ, Phelan, Pollard, Powers, Settles, Smith of St. Louis city, Spring, Swank, Tiernan and Turner—48.

NOES—Messrs. Alldridge, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brown, Bryan, Chilton, Collins, Cook, Cowan of Christian, Craig, Creager, Crow, Dade, Dale, Diercks, Ewing, Farr, Hayes, Haynes, Harrison, Ingram, Johnson, Kneisley, Larimore, Lesueur, Lockhart, Mackey, Mahn, Manistre, Morrison, McCormick of St. Louis city, McElvain, Palmer, Patterson of Schuyler, Pehle, Price, Riley, Reynolds, Smith of Cedar, Talbot, Taylor, Tevis, Vancleve, Warren, Weygandt, Whitaker, Wiley, Windes, Younger and Mr. Speaker—56.

ABSENT—Messrs. Brady, Burford, Crowther, Dodson, Finks, Foster, Freed, Gray, Harrington, Kendall, Miles, Mudd of St. Louis, O'Malley, Pollock, Powell, Ragan and Wisby—17.

ABSENT WITH LEAVE—Messrs. Bowman, Carleton, Cooper, Dryden, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—18.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 2—Amend section 4 by adding to said section the following: "The Warden shall receive, as full compensation for his services, the sum of twenty-five hundred dollars per annum, including fuel and lights, and shall reside within the precincts of the Penitentiary, in a house provided for that purpose. The physician shall receive as full compensation for his services, the sum of twelve hundred dollars per annum. He shall give his undivided time and attention to the health of the convicts and to the discharge of his duties as prescribed by this act; was read and not concurred in by the following vote:

AYES—Messrs. Anderson, Arnold, Brewer, Campbell of St. Louis city, Chitwood, Cowan of Holt, Cox, Dawson, Dilley, Dougherty, Ellis, Farr, Gwynne, Hale, Harrigan, Hubbard, Helm, Kendall, Lackland, Maynard, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McIntyre, Phelan, Settles, Smith of St. Louis city, Swank, Tiernan, Turner, Vancleve, Wiley and Windes—33.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Berry, Bohannon, Bonham, Booth, Boulware, Brown, Bryan, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cowan of Christian, Craig, Creager, Crow, Dade, Dale, Diercks, Dodson, Drum, Ewing, Greer, Hayés, Harrington, Harrison, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, McCormick of Washington, McElvain, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pollard, Powers, Price, Riley, Reynolds, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Warren, Weygandt, Whitaker and Younger—63.

ABSENT—Messrs. Bashaw, Beckner, Bowman, Burford, Campbell of Atchison, Coleman, Crowther, Davis, Finks, Foster, Freed, Gray, Haynes, Mabrey, Miles, Moler, Morrison, McGarry, O'Malley, Pollock, Powell, Ragan, Wisby and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Brady, Carleton, Carroll, Cooper, Dryden, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—19.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 3—Amend section 7 by striking out in line one and two, after the word “shall,” the words “by and with the consent of the inspectors, or a majority of them;” which was read.

Mr. Belch moved that the amendment be rejected; which was agreed to.

Amendment No. 4—Amend section 7, by adding thereto the following: “The deputy warden shall receive for his services the sum of fifteen hundred dollars per annum; the matron shall receive for her services the sum of five hundred dollars per annum; all other officers and employes shall receive such compensation as may be agreed upon between them, the warden and inspectors, approved by the Governor. All salaries shall be paid in monthly installments. The clerk shall make a pay-roll, containing the name of every officer and employe, with the amount due to each, which shall be kept at the penitentiary, and a certified copy thereof filed in the office of the State Auditor; such salaries shall be paid out of the fund appropriated for the pay of civil officers: Provided, That if any time the appropriation shall be exhausted, such salaries shall be paid out of the earnings of the penitentiary, appropriated for that purpose. The chaplain and matron shall perform such duties as are hereinafter provided. The chief clerk shall perform such duties as may be prescribed for him by the warden, and in the absence of the warden he shall have control of the office, books, accounts and prison records, and for whose actions the warden shall be responsible on his official bond. The deputy warden shall perform such duties as may be prescribed for him by the warden; and in the absence of the warden he shall have control of the prison discipline, and all matters connected with the operation and working of the penitentiary, excepting such as are prescribed for the chief;” which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Bashaw, Berry, Bowman, Bryan, Campbell of Atchison, Carroll, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Craig, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Gray, Hayes, Hale, Harrington, Harrison, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKinney, Palmer, Pehle, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Vancleve, Warren, Wiley, Windes, Wisby and Mr. Speaker—76.

NOES—Messrs. Anderson, Andrews, Arnold, Ballew, Beckner, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Chenoweth,

Chitwood, Cowan of Christian, Cox, Creager, Dade, Dale, Drum, Freed, Greer, Haynes, Ingram, Johnson, Kendall, Knight, Miles, McElvain, Organ, Patterson of Schuyler, Powell, Swank, Tevis, Turner, Weygandt, Whitaker and Younger—37.

ABSENT—Messrs. Brady, Burford, Finks, Foster, Gwynne, Harrigan, Hubbard, O'Malley and Pollock—9.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—17.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Leave of absence was granted Messrs. Mott, Louthan, Wells and McKill for the afternoon.

Amendment No. 5—Amend section 13 by striking out from lines 10 and 11, the following words: "Under the direction of the inspectors;" was read and on motion, disagreed to.

Amendment No. 6—Amend section 16 by striking from lines 1 and 2 the words, "with the approval of the inspectors;" was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Carroll, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Craig, Creager, Crow, Crowther, Dade, Diercks, Dodson, Dougherty, Ewing, Farr, Finks, Hayes, Hale, Haynes, Harrington, Harrison, Kneisley, Knight, Lackland, Larimore, Lesueur, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Vancleve, Warren, Whitaker, Wiley and Wisby—79.

NOES—Messrs. Anderson, Arnold, Ballew, Bohannon, Brown, Burford, Campbell of Atchison, Chitwood, Cowan of Christian, Cowan of Holt, Dale, Dilley, Drum, Dryden, Ellis, Gray, Greer, Gwynne, Helm, Ingram, Kendall, Lockhart, Lynn, Moler, Riley, Swank, Turner, Weygandt and Windes—29.

ABSENT—Messrs. Brady, Cox, Davis, Dawson, Foster, Freed, Harrigan, Hubbard, Johnson, O'Malley, Pollock, Taylor, Younger and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—17.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 7—Amend section 16 by adding after the word “penitentiary,” in the 19th line, the words following: “Or for the protection of the State’s property, at Jefferson City, from changes or washes in the Missouri river or otherwise, or as teamsters for the State; and contractors within the walls shall have the right to employ trusty convicts as teamsters, and such other help as may be necessary in transporting material, supplies and manufactured goods to and from the railroad depots and the levee;” was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Carroll, Chilton, Cloud, Cock, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Ingram, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McElvain, McIntyre, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Vancleve, Warren, Whitaker, Wiley, Windes, Wisby and Mr. Speaker—93.

NOES—Messrs. Campbell of Atchison, Cox, Dryden and Kendall—4.

ABSENT—Messrs. Arnold, Berryman, Brady, Chenoweth, Chitwood, Collins, Davis, Dilley, Freed, Harrigan, Hubbard, Helm, Johnson, Moler, McGarry, O’Malley, Pollock, Powell, Ragan, Reynolds, Swank, Taylor, Tevis, Tiernan, Waggener, Weygandt, Withers and Younger—28.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder and Wells—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Amendment No. 8—Amend section 16 by striking out in lines 24, 25 and 26, the following: “Except that all such labor as is now under contract shall be continued only at such place or places where it is now employed;” was read, and, on motion, disagreed to.

Amendment No. 9—Amend section 16 by inserting after the word “farm,” in the 15th line, the words “or in his family or the family of the Deputy Warden;” was read, and, on motion, disagreed to.

Amendment No. 10—Amend section 16 by inserting after the word “employed,” in lines 7 and 8, the words “he may renew any contracts for labor within the walls, which may be already in existence, without advertising same; no contract shall be made for a longer period than ten (10) years; all contracts shall be approved by the Board of Inspectors;” was read, and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Carroll, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Dryden, Ewing, Foster, Greer, Hayes, Haynes, Harrington, Harrison, Ingram, Kneisley, Larimore, Lesueur, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Ragan, Riley, Settles, Smith of Cedar, Swank, Talbot, Taylor, Tevis, Weygandt, Whitaker, Wiley and Mr. Speaker—76.

NOES—Messrs. Bowman, Burford, Cox, Dade, Ellis, Gray, Knight, Mudd of St. Louis and Turner—9.

ABSENT—Messrs. Arnold, Bohannon, Brady, Chenoweth, Coleman, Davis, Dawson, Dilley, Farr, Finks, Freed, Gwynne, Hale, Harrigan, Hubbard, Helm, Johnson, Kendall, Lackland, Lockhart, Lynn, Maynard, Miles, O'Malley, Organ, Pollock, Pollard, Reynolds, Smith of St. Louis city, Spring, Tiernan, Vancleve, Warren, Windes, Wisby and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—18.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 11—Amend section 17 by striking out from lines 1 and 2, the words, “by and with the consent of the inspectors;” was read, and, on motion, disagreed to.

Amendment No. 12—Amend section 17, line 7, by striking out the word, “thirty,” and inserting the word, “fifteen;” was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Booth, Boulware, Brewer, Brown, Bryan, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Drum, Ellis, Ewing, Foster, Gray, Hayes, Haynes, Harrison, Ingram, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Vancleve, Warren, Weygandt, Whitaker, Wiley and Younger—81.

NOES—Messrs. Anderson, Bashaw, Bonham, Bowman, Burford, Campbell of Atchison, Cock, Dade, Dryden, Greer, Helm, Mudd of St. Louis, Powell, Ragan, Turner and Mr. Speaker—16.

ABSENT—Messrs. Brady, Davis, Dawson, Dilley Dougherty, Farr, Finks, Freed, Gwynne, Hale, Harrigan, Harrington, Hubbard, Johnson, Kendall, Lackland, Maynard, Miles, Moler, O'Malley, Pepper, Pollock, Pollard, Taylor, Windes and Wisby—26.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Carleton, Cooper, Hale, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Rawlings, Saunders, Souder, Waggener, Wells and Withers—16.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 13—Amend section 28, by striking out all of said section; was read, and, on motion, disagreed to.

Amendment No. 14—Amend section 29 by striking out in line 3, the words, "or manufactured articles; was read, and, on motion, disagreed to.

Amendment No. 15—Amend section 29 by striking out all of said section after the word "State," in line 5; was read, and, on motion, disagreed to.

Amendment No. 16—Amend section 33 by striking out from lines 15, 16 and 17, the following: "They shall make all necessary and suitable provisions for the employment of said convicts, subject to the limitations and provisions hereinafter contained;" was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Dryden, Ewing, Gray, Greer, Hayes, Haynes, Harrington, Har-

rison, Kneisley, Knight, Larimore, Lesueur, Lynn, Mackey, Mahn, Manistre, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Pollard, Powell, Powers, Price, Ragan, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Tevis, Tiernan, Turner, Vancleve, Warren, Weygandt, Whitaker, Windes and Mr. Speaker—82.

NOES—Messrs. Burford, Dade, Dale, Ellis, Moler and Talbot—6.

ABSENT—Messrs. Arnold, Boulware, Brady, Carroll, Davis, Dawson, Dilley, Farr, Foster, Finks, Freed, Gwynne, Hale, Harrigan, Hubbard, Helm, Ingram, Johnson, Kendall, Lackland, Lockhart, Mabrey, Miles, McCormick of Washington, O'Malley, Phelan, Pollock, Reynolds, Swank, Wiley, Wisby and Younger—32.

ABSENT WITH LEAVE—Messrs. Anderson, Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill, Pepper, Rawlings, Saunders, Souder, Taylor, Waggener, Wells and Withers—19.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 17—Amend section 34 by striking out from lines 9 and 10, the following: "For what purpose and to whom paid;" was read, and, on motion, disagreed to.

Amendment No. 18—Amend section 35 by striking out all of said section after the word "Assembly," in line 8; was read, and, on motion, disagreed to.

Amendment No. 19—Amend section 48 by striking out in line 5, the word "fifty," and inserting in lieu thereof, the words "one hundred;" was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Bowman, Brewer, Bryan, Cloud, Collins, Craig, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Gray, Hayes, Haynes, Harrigan, Harrington, Harrison, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lynn, Mackey, Mahn, Manistre, Maynard, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKinney, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Tevis, Vancleve, Warren, Weygandt, Windes, Younger and Mr. Speaker—72.

NOES—Messrs. Arnold, Brown, Burford, Campbell of Atchison, Chenoweth, Chilton, Cock, Coleman, Cook, Cowan of Christian, Cox, Dade, Dale, Greer, Helm, Turner and Whitaker—17.

ABSENT—Messrs. Beckner, Boulware, Brady, Carroll, Chitwood, Cowan of Holt, Davis, Dawson, Dilley, Farr, Finks, Foster, Freed,

Gwynne, Hale, Hubbard, Ingram, Kendall, Lockhart, Mabrey, Miles, Moler, O'Malley, Pollock, Pollard, Smith of Cedar, Swank, Taylor, Tiernan, Wiley and Wisby—32.

ABSENT WITH LEAVE—Messrs. Anderson, Campbell of St. Louis city, Carleton, Cooper, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McKill Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—18.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Amendment No. 20—Amend section 48 by striking from lines 5, 6 and 7, the words “if such convict is apprehended outside of Cole county, and twenty-five dollars if such convict is apprehended in Cole county;” was read, and, on motion, disagreed to.

Amendment No. 21—Amend section 58 by striking out from line 2, the words “within twenty-four hours,” and inserting the word “immediately;” was read, and, on motion, disagreed to.

Amendment No. 22—Amend section 58 by striking out from line 3, the words “forty-eight,” and inserting in lieu thereof, the words “twenty-four;” was read, and, on motion, disagreed to.

Amendment No. 23—Amend section 58 by adding at the end of said section, the following words: “Provided, however, if any convict discharged by reason of his good behavior, shall violate any of the provisions of the foregoing section, he shall, upon conviction before the judge of the circuit court of Cole county, be remanded to the penitentiary to serve out the remainder of his sentence;” was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Brewer, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Greer, Hayes, Haynes, Harrigan, Harrison, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Maynard, Morrison, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Warren, Weygandt, Windes and Mr. Speaker—75.

NOES—Messrs. Arnold, Brown, Coleman, Crowther, Dade, Helm, Mudd of St. Louis, Turner and Younger—9.

ABSENT—Messrs. Beckner, Boulware, Bowman, Brady, Bryan, Burford, Carroll, Cox, Davis, Dawson, Dilley, Farr, Foster, Freed, Gwynne, Hale, Harrington, Hubbard, Ingram, Kendall, Lackland, Mabrey,

Manistre, Miles, Moler, Mudd of Lincoln, Pollock, Pollard, Smith of Cedar, Swank, Tiernan, Vancleve, Whitaker, Wiley and Wisby—35.

ABSENT WITH LEAVE—Messrs. Anderson, Campbell of St. Louis city, Carleton, Cooper, Dryden, Hall, Hammons, Hynes, Louthan, Mott, McDaniel, McIntyre, McKill, Pepper, Rawlings, Saunders, Souder, Waggener, Wells and Withers—20.

SICK—Messrs. Berryman, Burrows, Ham, and Patterson of Linn—4.

Amendment No. 24—Amend section 60 by striking out from lines 3 and 4, the words, "or who shall, at the time, hold any other office under the laws of this State;" was read, and, on motion, disagreed to.

Amendment No. 25—Amend section 60 by striking out from lines 8, 9, 10 and 11, the words, "or shall accept any other office or appointment, either under the laws of this State or the United States, or engage in any other business, trade, avocation or profession;" was read, and, on motion, disagreed to.

Amendment No. 26—Amend section 60 by striking out all of said section after the word "penitentiary," in the 15th line; was read, and, on motion, disagreed to.

Amendment No. 27—Amend section 61 by striking out all of said section; was read, and, on motion, disagreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 622, entitled An act declaring advertising rebates illegal and providing penalties for violation thereof, and find the same truly and correctly enrolled; which was read.

House bill No. 622; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Senate substitute for Senate bill No. 70, entitled An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations; was called up and read the first time.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND FIRST DAY—FRIDAY, May 9, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Davis offered the following resolution :

Resolved, That the Chief Clerk be instructed to inform the House which bills relating to revision have been reported to the House from the Senate, and which have not been acted upon finally by the House ; and

Resolved, That the chairmen of standing committees be requested to report to the House which revised bills are before their respective committees not yet acted upon ; which was read and adopted.

Mr. Pollock was reported sick.

Mr. Farr introduced a joint and concurrent resolution, entitled Joint and concurrent resolution in relation to rescinding and declaring null and void the contract made and entered into by and between the Warden of the penitentiary and James B. Price et al., by which the services of 400 convicts were let and hired to said James B. Price et al. ; which was read the first time and laid over.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 642, entitled An act authorizing and requiring certain officers of cities having a population of over 100,000 inhabitants, to administer, free of charge, all oaths in connection with their official duties, and find the same truly and correctly enrolled ; which was read.

House bill No. 642 ; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 624, entitled An act to amend sections 3, 4 and 5 of an act entitled an act to compel sheriffs, marshals, etc., to pay over fees of witnesses and

others when collected by them, and find the same truly and correctly enrolled; which was read.

House bill No. 624; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

On motion of Mr. Davis, House bill No. 650, was made the special order for 10 o'clock this A. M.

Mr. Lesueur presented a petition from citizens of Lafayette county, praying the Legislature not to pass the bell punch law; which was read, and, on motion, referred to the Committee on Ways and Means.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 709, entitled An act declaratory of the Revised Statutes of the State of Missouri and their effect, and to provide for the collection, editing, printing, binding, publishing and distributing the same, beg leave to report that they have considered the same, and recommend that it do pass, with the amendments herewith submitted; which was read.

House bill No. 709; was taken up, with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 2, by striking out the words "and permanent," in the third line, and the word "public," in the fourth line, and the words "and permanent," in the fifth line of the printed bill; which was read and agreed to.

Amendment No. 2—Amend by substituting for section 3 the following: Section 3. Whenever such general law, passed at the present session of the General Assembly, amends any prior statute, or section or part thereof, the law as, amended, shall be incorporated in the General Statutes; and whenever any general law, passed at the present session, contains a clause or section, repealing, in direct terms or by necessary implication, any prior law or section thereof, such prior law or section so repealed, shall not be incorporated in the Revised Statutes, but the existing law only shall be incorporated therein; which was read and agreed to.

Amendment No. 3—Amend section 5 of printed bill, by striking out the words "and fugitives from justice," in the second and third lines, and inserting in second line, after the word "to," the words "fugitives from justice and;" which was read and agreed to.

Amendment No. 4—Amend section 6 by striking out the words "or modified," in the fourth line, and the words "specially applicable to said city," in the fourth and fifth lines of the printed bill; which was read and agreed to.

Amendment No. 5—Amend by inserting the words “except as provided in the next preceding section,” between the word “counties” and the word “shall,” in the fifth line of section seven of the printed bill; which was read and agreed to.

Amendment No. 6—Amend by inserting the words “and all acts of a general nature having an emergency clause,” between the word “acts” and the word “passed,” in the tenth line of section seven of the printed bill; which was read and agreed to.

Amendment No. 7—Amend section 8 by striking out the word “public” and the words “and permanent,” in the first line, and the words “and in force at the commencement of the present session,” in the fourth and fifth lines of section 8 of the printed bill; which was read and agreed to.

Amendment No. 8—Amend section 9 by striking out the words “public permanent and,” in the first line of said section in printed bill; which was read and agreed to.

Amendment No. 9—Amend by striking out section 10; which was read and agreed to.

Amendment No. 10—Amend section 12 by inserting the word “upon” after the word “law,” in the twelfth line of said section in printed bill; which was read and agreed to.

Amendment No. 11—Amend section 13 by striking out all of said section after the word “law,” in the sixth line of said section, and insert in lieu thereof the following words: “And the Committee shall number the sections thereof, so that the numbering of the sections shall be successive and uniform, and without omission from the first to the close of either or both volumes, as the Committee may determine; which was read and agreed to.

Amendment No. 12—Amend section 14 by striking out all of said section before the words “may employ,” in the second line of the printed bill, and by inserting in lieu thereof the words “each member of said Committee shall be allowed five dollars per day for his services, and such Committee;” which was read and agreed to.

Amendment No. 13—Amend section 16 by striking out the word “public,” in the thirteenth line of said section, and by striking out the words “and permanent,” in the fourteenth line of said section of printed bill; which was read and agreed to.

Amendment No. 14—Amend section 15 of printed bill by inserting after the word, “printed,” in the first line, the words “under the existing contract for printing of the second class;” which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was agreed to by the following vote :

AYES—Messrs. Arnold, Booth, Boulware, Brady, Brewer, Bryan, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Collins, Cook, Cowan of Holt, Craig, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ewing, Farr, Finks, Foster, Freed, Hayes, Hale, Haynes, Harrigan, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Mabrey, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, Organ, Phelan, Powers, Price, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Waggener, Warren, Weygandt and Mr. Speaker—61.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Bowman, Burford, Campbell of Atchison, Chitwood, Cloud, Coleman, Cowan of Christian, Creager, Dade, Davis, Drum, Ellis, Gray, Gwynne, Harrington, Harrison, Ingram, Johnson, Knight, Lynn, Manistre, Miles, Morrison, Mudd of St. Louis, McElvain, McKinney, O'Malley, Palmer, Patterson of Schuyler, Pehle, Powell, Ragan, Riley, Reynolds, Smith of Cedar, Taylor, Tiernan, Turner, Wells, Whitaker, Wiley and Younger—51.

ABSENT—Messrs. Brown, Chilton, Cock, Cox, Dale, Greer, Kendall, Mackey, Mahn, Maynard, Mott, Pollard, Vancleve, Windes and Wisby—15.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Hall, Hammons, Hynes, McDaniel, Pepper, Rawlings, Saunders, Souder and Withers—11.

SICK—Messrs. Berryman, Burrows, Ham, Patterson of Linn and Pollock—5.

Mr. Davis moved that the further consideration of the bill and amendments be postponed until Saturday, May the 10th, at 10 o'clock A. M.; which was not agreed to.

Amendment No. 15—Amend section 15 by striking out all after the figures "1865," in the 10th line, and insert in lieu thereof the following words: The paper for the printing shall be provided by the State, and the Secretary of State shall, from time to time, as the same may be needed, deliver paper therefor and take and preserve a receipt for all paper so delivered, and upon the completion of the printing, the contractor shall deliver to the Secretary of State all such paper not used in printing the Revised Statutes, and if any such paper shall have been wasted or converted to any other use, the contractor shall be charged with the value thereof, together with a penalty of fifty per cent., and the amount shall be deducted from his account, and the printing and binding shall be under the direction, and subject to the approval of the Attorney-General, Secretary of State and State Auditor; which was read and agreed to.

Amendment No. 16—Amend by striking out section 18, and inserting in lieu thereof as follows: Section 18. The commissioners of printing shall provide for the binding of the Revised Statutes upon such terms not exceeding the price of fifty-five cents per volume, as shall be most advantageous to the State; but before any contract for such binding and the furnishing of materials therefor shall take effect, such commissioners shall require the party or parties with whom they may make such contract, to execute and file in the office of Secretary of State, a bond with two or more sufficient sureties in the penal sum of ten thousand dollars, conditioned for the faithful and proper performance of the work specified in such contract, and the commissioners of printing and the contractor or contractors for binding shall be governed as far as applicable by the provisions of the laws of the State relating to public printing and binding”; which was read.

Mr. Tiernan offered the following substitute for the amendment:

Strike out all of section 18 after the words and figures “section 18,” in the first line of printed bill, page 7, and insert the following: “Immediately after the taking effect of this act, it shall be, and is hereby made the duty of the Attorney-General, Secretary of State and State Auditor, to give notice for the period of at least ten days, in at least two daily papers published in each of the cities of St. Louis, Kansas City, St. Joseph and Hannibal, that sealed proposals will be received at the office of the Secretary of State for the execution of the binding of the Revised Statutes of this State, as contemplated and provided for in this act, said work to be completed by the 15th day of October, A. D. 1879. Said proposals shall distinctly specify the price for folding, stitching and binding the same for each volume required. Each proposal shall be accompanied by a bond executed to the State of Missouri in due form by the bidder, with at least two good and sufficient sureties satisfactory to said officers, in the sum of twenty thousand dollars, conditioned for the faithful performance of the work bid for pursuant to this act and such proposal, should the work be awarded to him, and for the payment as liquidated damages by such bidder to the State of any excess of cost over the bid or bids of such bidder, the State may be obliged to pay for such work by reason of the failure of such bidder to complete or perform his contract; said bond shall be null and void if no contract shall be awarded to him. No bid unaccompanied by such bond shall be entertained. And such officers shall have the right to reject any bid which they shall consider to be insufficient or by irresponsible parties: Provided, that the work shall be let to the lowest responsible bidder therefor;” which was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the House agreed to the substitute; which was not agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 9, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I return to the House with my approval endorsed thereon, bills of the following titles:

An act to amend an act entitled an act to regulate the fees of collectors of the State and county revenue, approved May 2, 1877.

An act for the relief of Philip Zeal.

An act to provide for the separation of the offices of county clerk and recorder of deeds.

An act providing that it shall not be necessary to be the owner of real estate in order to hold any office, or be judge or clerk of elections in cities or towns of this State.

An act amending section 33 of an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877.

An act authorizing the appointment of clerks for circuit attorneys in cities having a population of two hundred thousand inhabitants or more, and providing for their compensation.

Very respectfully,

JOHN S. PHELPS.

Which was read.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in all of House amendments to substitute for Senate bills Nos. 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, prescribing punishments therefor; also,

That the Senate has adopted the report of the Conference Committee, appointed to adjust the differences between the House and Senate on substitute No. 29 for Senate bill No. 52, concerning depositions; also,

That there has been introduced into and passed the Senate, substitute for Senate bill No. 329, entitled An act providing for the partition of personal property; also,

Senate bill No. 192, entitled An act in relation to the formation

of new counties, and to provide for the apportionment and payment of the liabilities of counties affected by the alteration of the county boundaries; also,

That the Senate has taken up, amended and passed substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof manufactured or sold for illuminating purposes in this State; also,

House bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same, in which the concurrence of the House is respectfully requested; also,

That the Senate has taken up and passed House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters in this State, and to repeal a certain act, etc.; also,

House concurrent resolution No. 49, authorizing the Governor and Attorney-General to prosecute certain claims against the government of the United States; also,

That the President of the Senate has appointed as a Committee of Conference, to consider Senate substitute for Senate bills Nos. 86 and 207, entitled An act to revise and amend title 4, chapter 10 of the General Statutes of the State of Missouri, concerning the treasury department, Senators Mackey, Major and Walker, on the part of the Senate, to confer with Messrs. Davis, Wells and Dade on the part of the House; also,

That the Senate has adopted the report of the Committee of Conference on substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, etc.; which was read.

The House resumed the consideration of House bill No. 709 and pending amendments.

Amendment No. 17—Amend section 21 so as to read as follows: Section 21. It being important that the Revised Statutes, as revised and digested by the present General Assembly, should be promulgated as soon as possible, it is hereby declared that an emergency exists for the immediate taking effect of this act, and it is hereby provided that this act shall take effect and be in force from and after its passage; which was read and agreed to.

Mr. Belch offered the following amendment:

Amend section 12, in lines 3 and 4 of printed bill, by striking out the words "with references to the decisions of the Supreme Court construing such statutes; which was read and not agreed to.

Mr. Cook offered the following amendment:

Amend section 11 by inserting after the word "empowered," in

line five, the following words: "To select three of their number, one from the Senate and two from the House;" which was read and not agreed to.

Mr. Lockhart offered the following amendment:

Amend by adding in line 7, of section 19, after the words "Adjutant-General," the words "each member of the General Assembly;" which was read.

Mr. Belch offered the following amendment to the amendment:

Amend by adding: "Upon the payment of five dollars;" which was read and not agreed to.

The question recurring upon agreeing to the amendment, it was not agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Davis from the Committee of Conference on Senate bill No. 194, submitted the following report:

MR. SPEAKER: The Committee of Conference of the two Houses, composed of Senators Morrisson, Wilson and Byrns, on the part of the Senate, and Representatives Davis, Palmer and Bowman, on the part of the House, to whom was referred Senate bill No. 194 with sundry House amendments not concurred in by the Senate, have had the same under careful consideration, and unanimously recommend that the House recede from amendments 1, 2, 3, 4 and 5, which are as follows:

Amendment No. 1—Strike out lines 14, 15, 16 and 17, and insert in lieu thereof the following: "For printing catalogue of State University, one thousand, three hundred and eighty-nine dollars and thirty-eight cents (\$1,389.38); for printing agricultural reports, in German, one thousand and twenty-one dollars and thirty-eight cents (\$1,021.38); for printing reports and documents ordered by the General Assembly, six hundred and forty-six dollars and sixty-three cents (\$646.63); for printing for executive department, one thousand, three hundred and ninety-six dollars and seventy-six cents (\$1,396.76); for publishing decisions of the supreme court, eight hundred and fifty-seven dollars and forty-two cents (\$857.42).

Amendment No. 2—Amend by striking out lines 64 and 65 (as follows): For pay of Jesse W. Menry, on salary as Assistant State Librarian out of the fund for the pay of civil officers, three hundred and eighty-five dollars (\$385.00).

Amendment No. 3—Strike out lines 22 and 23, (to wit:) for costs in civil cases, one hundred and eighty-eight dollars and eighty-one cents (\$188.81).

Amendment No. 4—Amend line 12 by striking out \$12,500 and inserting (\$11,000).

Amendment No. 5—Amend by striking out all of line 63, of printed bill, (to wit:) for pay on back indebtedness of Rolla School of Mines, five thousand dollars (\$5,000.00).

All of which is respectfully submitted for adoption by the House.

T. J. O. Morrisson, R. P. C. Wilson, Sam. Byrns, Sam'l Davis, R. B. Palmer, Jas. R. Bowman; which was read.

The question being upon the adoption of the report,

The roll was called and the report was not adopted by the following vote:

AYES—Messrs. Anderson, Arnold, Bashaw, Booth, Bowman, Brady, Brown, Bryan, Campbell of St. Louis city, Carleton, Carroll, Coleman, Cowan of Holt, Creager, Crow, Dilley, Dodson, Drum, Dryden, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Hale, Haynes, Harrigan, Hubbard, Helm, Kneisley, Lackland, Lynn, Manistre, Mott, Mudd of Lincoln, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Ragan, Riley, Reynolds, Swank, Taylor, Tevis, Tiernan, Turner, Waggener, Weygandt and Wiley—58.

NOES—Messrs. Adams, Alldridge, Ballew, Bonham, Boulware, Brewer, Burford, Cloud, Collins, Cook, Cowan of Christian, Craig, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dougherty, Ellis, Gray, Harrington, Harrison, Ingram, Larimore, Lesueur, Lockhart, Louthan, Miles, Morrison, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, Settles, Smith of Cedar, Talbot, Warren, Wells, Whitaker and Younger—41.

ABSENT—Messrs. Andrews, Beckner, Berry, Bohannon, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cock, Cox, Freed, Greer, Johnson, Kendall, Knight, Mabrey, Mackey, Mahn, Maynard, Moler, McKinney, Pollard, Powell, Price, Smith of St. Louis city, Spring, Vancleve, Windes, Wisby and Mr. Speaker—30.

ABSENT WITH LEAVE—Messrs. Cooper, Hall, Hammons, Hynes, Pehle, Pepper, Rawlings, Saunders, Souder and Withers—10.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

On motion of Mr. Davis, seconded by ten members, a call of the House was ordered, when the following members answered to their names:

Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Carroll, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson,

Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Ingram, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley and Younger—99.

The names of the absentees were then ordered called, when the following members were found to be absent without leave :

Messrs. Andrews, Beckner, Berry, Bohannon, Campbell of Atchison, Chenoweth, Chilton, Chitwood, Cock, Cox, Freed, Greer, Johnson, Knight, Mabrey, Mackey, Mahn, Maynard, Moler, McKinney, Pollard, Powell, Price, Smith of St. Louis city, Vancleve, Windes, Wisby and Mr. Speaker—28.

The doors of the House were then closed.

The Speaker *pro tem.* appointed Daniel Phelan and W. P. Smythe, Special Messengers, to assist the Sergeant-at-Arms in the prosecution of the call of House.

The Sergeant-at-Arms, under an order of the House, was sent in pursuit of the absentees, with authority and instructions to arrest and bring them before the bar of the House.

Pending the call of the House,

Senate substitute for Senate bill No. 231, entitled An act to revise and amend chapters 116, 117, 118 and 119 of the General Statutes of the State of Missouri, concerning curators, guardians and wards, masters, apprentices and servants, adoption of children and change of name ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 166, entitled An act to authorize the issue and sale of renewal revenue bonds for the purpose of meeting and redeeming outstanding revenue bonds falling due in the year 1879; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 2 for Senate bills 77 and 158, entitled An act to revise and amend chapter 7 of the General Statutes of the State of Missouri, concerning the custody, publication and distribution of the laws, journals, etc. ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 58, entitled An act to revise and amend title 36, chapter 174 of the General Statutes of the State of

Missouri, concerning the publication of judicial notices and other matters ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

The Sergeant-at-Arms appeared before the bar of the House, with the following absentees under arrest :

Messrs. Cox, Chilton, Mackey, Mahn, Bohannon, Andrews, Mabrey, Moler, Freed, Wisby and Smith of St. Louis city.

On motion, the arraigned members were excused and discharged from custody unconditionally.

On motion of Mr. Dryden, the further proceedings under the call of the House was dispensed with.

Mr. Dryden, from the Committee of Conference on House amendment to section 21 of Senate substitute No. 29 for Senate bill No. 52, submitted the following report :

MR. SPEAKER : Your Committee on Conference, to whom was referred the consideration of the differences between the Senate and the House of Representatives, on House amendment to section No. 21 of substitute No. 29 for Senate bill No. 52, being an act entitled An act to revise and amend that part of chapter 144 of the General Statutes of the State of Missouri, concerning depositions, beg leave to report that they have considered the same, and have agreed upon the following substitute for said House amendment to section 21, as an adjustment of the said differences of the two Houses, and recommend that the same do pass.

Add to the section 21, in lieu of the amendment, the following :

Any person summoned as a witness in virtue of the provisions of this act, and attending, who shall refuse to give evidence which may be lawfully required to be given by him on oath or affirmation, may be committed to prison by the officer or person authorized to take his deposition or testimony, there to remain, without bail, until he give such evidence or until he be discharged by due course of law : *Provided*, that in case such person be discharged from such commitment or imprisonment upon habeas corpus, sues therefor, the party or parties litigant in whose behalf the refused evidence shall have been required, shall be liable to pay to such person the costs by him incurred in effecting such discharge. And the judge or court hearing the application for discharge may, in its discretion, at the time of such discharge, allow a further sum of not exceeding twenty-five dollars for an attorney's fee for prosecuting the proceedings on habeas corpus, to be paid by such party or parties litigant to the person so discharged : *And provided, further*, that until such costs and attorney's fee (if one be allowed) are paid or tendered to such person, he shall not be required further to depose or testify in the cause in which he

was so summoned; all which is respectfully submitted by your committee.

John D. S. Dryden, F. C. Farr, S. D. McCormick, G. F. Ballingal, E. C. Murray, W. I. Wallace—Committee; which was read.

The question being upon the adoption of the report,

The roll was called and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Campbell of St. Louis city, Carroll, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Kneisley, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wiley—94.

NOES—Messrs. Burford, Cowan of Christian, Ingram and Younger—4.

ABSENT—Messrs. Andrews, Beckner, Berry, Bohannon, Booth, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cock, Dade, Freed, Greer, Johnson, Kendall, Knight, Lackland, Mabrey, Maynard, Moler, McKinney, Pollard, Powell, Price, Smith of St. Louis city, Vancleve, Windes, Wisby and Mr. Speaker—29.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Hall, Hammons, Hynes, Pehle, Pepper, Rawlings, Saunders, Souder, Taylor and Withers—12.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Mr. Davis moved to reconsider the vote by which the House failed to adopt the report of the Committee of Conference on Senate bill No. 194; which was agreed to.

The question being upon the adoption of the report.

The roll was called, and the House again failed to adopt the report by the following vote:

AYES—Messrs. Anderson, Booth, Bowman, Brady, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chilton, Coleman, Cowan of Holt, Cox, Creager, Crow, Davis, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Farr, Foster, Gwynne, Hayes, Hale, Hubbard, Helm, Lynn, Mabrey, Mahn, Mackey, Manistre, Mott, McDaniel, Mc-

Garry, McIntyre, O'Malley, Organ, Palmer, Phelan, Pollock, Powers, Ragan, Riley, Smith of St. Louis city, Tevis, Tiernan, Waggener, Weygandt, Wiley, Wisby and Mr. Speaker—53.

NOES—Messrs. Adams, Andrews, Ballew, Berry, Bohannon, Bonham, Boulware, Brewer, Burford, Carleton, Chitwood, Cloud, Cook, Cowan of Christian, Craig, Dade, Dale, Dawson, Diercks, Ellis, Finks, Freed, Gray, Haynes, Harrington, Ingram, Larimore, Lesueur, Lockhart, Louthan, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, Patterson of Schuyler, Smith of Cedar, Spring, Talbot, Turner, Warren, Wells, Whitaker and Younger—47.

ABSENT—Messrs. Alldridge, Arnold, Bashaw, Beckner, Carroll, Chenoweth, Cock, Collins, Crowther, Greer, Harrigan, Harrison, Johnson, Kendall, Kneisley, Knight, Lackland, Maynard, McCormick of St. Louis city, Pollard, Powell, Price, Reynolds, Settles, Swank, Vancleve and Windes—27.

ABSENT WITH LEAVE—Messrs. Cooper, Hall, Hammons, Hynes, McKinney, Pehle, Pepper, Rawlings, Saunders, Souder, Taylor and Withers—12.

SICK—Messrs. Berryman, Burrows, Ham and Patterson of Linn—4.

Senate substitute for Senate bill No. 329, entitled An act providing for the partition of personal property; was called up and read the first time.

Senate bill No. 192, entitled An act in relation to the formation of new counties, and to provide for the apportionment and payment of the liabilities of counties affected by the alteration of the county boundaries; was called up and read the first time.

Senate substitute for Senate bill No. 70, entitled An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations; was called up, read the second time, and, on motion, referred to the Committee on Internal Improvements.

Senate bill No. 103, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Leave of absence was granted Mr. Larimore until Monday evening, and Mr. McKinney indefinitely, on account of sickness in family.

On motion of Mr. Campbell of St. Louis, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND SECOND DAY—SATURDAY, May 10, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the Chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Warren, the further reading was dispensed with.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 603, entitled An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters of this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and regulate the same, and to repeal certain acts and parts of acts, and find the same truly and correctly enrolled; which was read.

House bill No. 603; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House concurrent resolution No. 49, entitled Joint and concurrent resolution authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the Government of the United States, and find the same truly and correctly enrolled; which was read.

House concurrent resolution No. 49; was taken up, read at length by the Clerk, and signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined substitute for House bills Nos. 209, 218 and 236, entitled An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof, and find the same truly and correctly enrolled; which was read.

Substitute for House bills Nos. 209, 218 and 236; was taken up,

read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Leave of absence was granted Mr. Greer for two days.

Leave of absence was granted Mr. Vancleve for three days.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report :

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred Senate substitute in part for Senate bill No. 99, entitled An act to amend sections 1 and 107 of chapter 34 of the General Statutes of Missouri, entitled of counties and county boundaries, and to add a new section to said chapter, to be numbered section 116, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

Senate substitute in part for Senate bill No. 99; was taken up with the following amendment, recommended by the Committee on County Boundaries:

Amend by adding after the word "best," in line 35 of section 116 of printed bill, the following: "No election authorized under the provisions of this act shall be held upon substantially the same proposition, oftener than once in five years;" which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes and Mr. Speaker—101.

ABSENT—Messrs. Ballew, Booth, Brady, Campbell of Atchison, Carroll, Cock, Dade, Davis, Dawson, Dilley, Dougherty, Foster, Harrigan, Lackland, Maynard, Miles, McGarry, O'Malley, Powell, Wells, Wisby and Younger—22.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Vancleve and Withers—16.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Riley, from the Committee on Deaf and Dumb and Lunatic Asylums, submitted the following report :

MR. SPEAKER: Your Committee on Deaf and Dumb and Lunatic Asylums, to whom was referred Senate substitute for Senate bill No. 102, entitled An act to revise and amend title 14 of General Statutes of the State of Missouri, relating to insane and other persons incapable of managing their affairs, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 102; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Kendall, Kneisley, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—97.

NOES—Messrs. Hynes, Knight and Powell—3.

ABSENT—Messrs. Brady, Campbell of Atchison, Carleton, Carroll, Cock, Dade, Davis, Dawson, Foster, Freed, Gray, Harrigan, Ingram, Lesueur, Manistre, Maynard, McGarry, O'Malley, Saunders, Turner, Wells, Whitaker, Wisby and Younger—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute No. 2 in part for Senate bill No. 100, entitled An act to revise and amend an act entitled an act to provide for the government of cities of the third class, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 in part for Senate bill No. 100; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carroll, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Freed, Gwynne, Hayes, Hale, Haynes, Harrington, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Turner, Waggener, Warren, Weygandt, Wiley, Windes and Mr. Speaker—99.

NOES—Messrs. Ingram, Johnson and Knight—3.

ABSENT—Messrs. Booth, Burford, Campbell of Atchison, Carleton, Chenoweth, Cock, Dade, Davis, Dawson, Dilley, Foster, Gray, Harrison, Harrison, Maynard, Miles, O'Malley, Powell, Wells, Whitaker, Wisby and Younger—22.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larmore, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Saunders moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute No. 3 in part for Senate bill No. 100, entitled An act to amend and revise the act entitled an act for the classification of cities and towns, with accompanying amendment, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 3 in part for Senate bill No. 100; was taken up, with the following amendment recommended by the Committee Banks and Corporations:

Amend section 6, line 24, by striking out the words "two-thirds," and insert in lieu thereof the words "a majority," and in line 32, same section, strike out the words "two-thirds," and insert in lieu thereof the words "a majority; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burford, Campbell of St. Louis city, Carleton, Carroll, Chilton, Chitwood, Cloud, Cock, Coleman, Cowan of Holt, Cox, Craig, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Farr, Foster, Freed, Gwynne, Hayes, Hale, Hubbard, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Powers, Price, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wiley and Windes—87.

NOES—Messrs. Collins, Cook, Cooper, Cowan of Christian, Crowther, Dade, Dale, Hynes, Ingram, Mahn, Riley, Spring, Talbot, Tevis, Younger and Mr. Speaker—16.

ABSENT — Messrs. Berryman, Bryan, Campbell of Atchison, Chenoweth, Creager, Crow, Davis, Dawson, Ellis, Finks, Gray, Haynes, Harrigan, Harrington, Harrison, Lesueur, Maynard, Miles, McCormick of St. Louis city, Pollard, Powell, Ragan, Whitaker and Wisby—24.

ABSENT WITH LEAVE—Messrs. Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—12.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by

which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate substitute for Senate bill No. 88, entitled An act to revise and amend title 17 of chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands ;

Also, substitute for Senate bills Nos. 221 and 68, entitled An act relating to the incorporation of manufacturing and business companies, in which the concurrence of the House is respectfully requested ;

Also, that the Senate has taken up and passed substitute No. 1 for House bill No. 350, entitled An act to appropriate money to pay revenue bonds ;

Also, House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thomas B. English, deceased, late Judge of the 10th judicial circuit of Missouri; which was read.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142, and in part for No. 100, entitled An act for the government of cities of the fourth class, beg leave to report that they have considered the same, and recommend that, with the accompanying amendments Nos. 1, 2 and 3, it do pass; which was read.

Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 142, and in part for No. 100, was taken up, with the following amendments recommended by the Committee on Banks and Corporations :

First—Amend section 2 of article 1, by adding thereto the following: "All agricultural or pasture lands, included in such extension, to be exempt from taxation for city purposes;" which was read and agreed to.

Second—Amend section 5 of article 2, by striking out the word "daily," and inserting the word "weekly" in lieu thereof; which was read and agreed to.

Third—Amend section 18 of article 3, by striking out the word "monthly," and inserting the word "weekly" in lieu thereof; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Cook, Cowan of Holt, Cox, Craig, Creager, Crów, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Freed, Gray, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Knight, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollock, Pollard, Powell, Powers, Price, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Mr. Speaker—104.

NOES—Messrs. Collins, Cowan of Christian, Dade, Ingram and Louthan—5.

ABSENT—Messrs. Brady, Coleman, Davis, Farr, Gwynne, Harrigan, Kneisley, Lackland, Maynard, Phelan, Ragan, Whitaker, Wiley, Windes, Wisby and Younger—16.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table ; which was agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the House laid on the table the motion to reconsider the vote by which the House passed Senate substitute No. 3 in part for Senate bill No. 100 ; which was agreed to.

Senate substitute No. 3 in part for Senate bill No. 100, entitled An act to amend and revise the act entitled an act for the classification of cities and towns ; was taken up.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed ; which was agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill was ordered to a third reading ; which was agreed to.

Mr. Campbell of St. Louis city offered the following amendment :

Amend section 4 by inserting after the word "inhabitants," in the 2nd line thereof of printed bill, the words "and all townps existing under any special law, and having less than five hundred inhabitants, which shall elect to be cities of the fourth class;" which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carroll, Chenoweth, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Hale, Harrison, Hubbard, Helm, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Swank, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt, Wiley and Mr. Speaker—98.

NOES—Messrs. Collins, Cowan of Christian, Crowther, Hynes, Johnson, Mahn, Powell, Spring, Talbot, Whitaker and Younger—11.

ABSENT—Messrs. Beckner, Carleton, Chilton, Chitwood, Dade, Davis, Haynes, Harrigan, Harrington, Ingram, Louthan, Maynard, Miles, Pollard, Smith of Cedar, Warren, Windes and Wisby—18.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill 608, entitled An act in relation to the title to certain school lands in township 45 north, range 7 east, of the fifth principal meridian, and find the same truly and correctly enrolled; which was read.

House bill No. 608; was taken up, read at length by the Clerk,

signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 10th, 1879. }

Hon J. ED. BELCH, Speaker House of Representatives :

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles :

An act declaring advertising rebates illegal, and providing penalties for violation thereof ;

An act authorizing and requiring certain officers of cities having a population of over 100,000 inhabitants, to administer, free of charge, all oaths in connection with their official duties ;

An act to amend sections 3, 4 and 5 of an act entitled An act to compel sheriffs, marshals, coroners, and all clerks of courts of record and other officers, to keep an account of, and pay over fees of witnesses and others, when collected by them, approved March 24, 1874.

Very respectfully,

JOHN S. PHELPS.

Which was read.

On motion of Mr. Settles, the 10 o'clock roll call was dispensed with.

House bill No. 638, entitled An act to appropriate money ; was taken up with Senate amendments thereto.

Mr. Davis moved to reconsider the vote by which the House failed to concur in Senate amendment No. 1, on the 8th instant ; which was agreed to.

The question being upon concurring in the amendment,

The roll was called, and the amendment was concurred in by the following vote :

AYES—Messrs. Adams, Anderson, Arnold, Bashaw, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chilton, Chitwood, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Haynes, Hubbard, Hynes, Helm, Kneisley, Knight, Lackland, Lesueur, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock,

Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Tevis, Tiernan, Turner, Waggener, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—92.

NOES—Messrs. Alldridge, Ballew, Beckner, Berry, Bonham, Burford, Cloud, Cowan of Christain Dade, Gray, Harrison, Lockhart, McElvain, Powell, Reynolds, Spring, Talbot, Warren, Whitaker and Younger—20.

ABSENT—Messrs. Andrews, Campbell of St. Louis city, Chenoweth, Creager, Diercks, Drum, Harrigan, Harrington, Ingram, Johnson, Kendall, Louthan, Miles, Pollard and Wells—15.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Amendment No. 2—Amend section 8 by striking out the words and figures “ten thousand dollars (\$10,000.00),” and insert in lieu thereof the words and figures “fifteen thousand dollars (\$15,000.00);” which was read, and concurred in by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bonham, Booth, Bowman, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Hale, Haynes, Harrington, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—104.

NOES—Messrs. Alldridge, Andrews, Beckner, Bohannon, Burford, Gray, Harrison, Ingram, Lockhart, McElvain, Reynolds and Younger—12.

ABSENT—Messrs. Ballew, Campbell of St. Louis city, Cowan of Christian, Dade, Diercks, Harrigan, Miles, Mudd of Lincoln, Wells and Whitaker—10.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—14.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Amendment No. 3—Amend by adding the following new sections, to be numbered sections Nos. 12 and 13:

SEC. 12. These is hereby appropriated out of the revenue fund, the sum of fourteen hundred and twenty-three dollars and thirty cents, to pay Mueller Bros. for carpeting, etc., furnished the State in fitting the Supreme Court building.

SEC. 13. There is hereby appropriated out of the revenue fund, the sum of eighty thousand dollars, for the use and benefit of the State Board of Immigration; which was read.

Mr. Davis offered the following amendment to the amendment:

Amend amendment No. 3 by striking out section 12, as numbered in said amendment; which was read and agreed to.

The question being upon concurring in Senate amendment, as amended, the roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bashaw, Berry, Berryman, Bonham, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Carroll, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Haynes, Harrington, Hubbard, Hynes, Helm, Kendall, Lesueur, Lockhart, Lynn, Mabrey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, O'Malley, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Waggener, Weygandt, Wiley, Wisby and Mr. Speaker—80.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Boulware, Bowman, Brown, Burford, Chitwood, Cloud, Cowan of Christian, Creager, Dade, Dale, Drum, Gray, Hale, Harrison, Johnson, Kneisley, Louthan, Mackey, Miles, Mudd of Lincoln, McElvain, Organ, Palmer, Reynolds, Turner, Warren, Wells, Whitaker, Windes and Younger—36.

ABSENT—Messrs. Arnold, Harrigan, Ingram, Lackland, Mudd of St. Louis, McCormick of Washington, Patterson of Schuyler, Powell and Smith of Cedar—9.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Greer, Hall, Hammons Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—14.

SICK—Messrs. Burrows, Ham, Knight and Patterson of Linn—4.
 Substitute for House bill No. 678, entitled An act regulating the compensation of the sheriff of the city of St. Louis; was called up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Gwynne, Hayes, Haynes, Harrington, Hubbard, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker, Wiley, Windes and Mr. Speaker—107.

NOES—Mr. Hynes—1.

ABSENT—Messrs. Berry, Carroll, Chitwood, Cowan of Christian, Dade, Diercks, Hale, Harrigan, Harrison, Kendall, Maynard, Moler, Patterson of Schuyler, Riley, Smith of Cedar, Wells, Wisby and Younger—18.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs. Burrows, Ham, Knight and Patterson of Linn—4.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to, Mr. Knight was reported sick.

The following message was received from the Senate, through its Secretary, Mr. Mayo;

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House bill No. 444, entitled An act for the government of the State Penitentiary and the appointment of officers therefor, and defining their duties;

And refused to recede from Senate amendments Nos. 1, 2, 3, 5, 8, 9, 11, 13, 14, 15, 17, 18, 20, 21, 22, 24, 25, 26 and 27, and respectfully ask for a Conference Committee thereon, the Chair having appointed as

such committee on the part of the Senate, Senators Morrisson, Naylor and Walker; which was read.

Mr. Davis offered the following resolution :

Resolved, That the House insist upon its amendments to Senate substitute for Senate bill No. 194, and that a second Committee of Conference be appointed by the Speaker to confer with a similar committee of the Senate, to settle the differences between the two Houses upon said amendments; which was read and adopted.

The Speaker appointed as said Committee of Conference, on the part of the House, Messrs. Wells, Chenoweth and Hayes. .

Mr. Lackland, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of title 32 of the General Statutes, beg leave to report that they have considered the same and recommend that it do pass with the amendments herewith submitted; which was read.

Senate substitute for Senate bill No. 310; was taken up, with the following amendments recommended by the Committee on Judiciary.

Amendment No. 1—Amend section 5, printed bill, by striking out the words "to all the," in the eighth line thereof; which was read and agreed to.

Amendment No. 2—Amend section 9, printed bill, by striking out the words "two years," in the fifth line, and insert in lieu thereof the words "twelve months;" which was read and agreed to.

Amendment No. 3—Amend section 11, printed, bill by striking out the words "two years," in the fifth line, and insert in lieu thereof "fifteen months;" which was read and agreed to.

Amendment No. 4—Amend section 15, line 6, by striking out the words "two years," and insert in lieu thereof the words "twelve months," in printed bill; which was read and agreed to.

Mr. Lackland offered the following amendment :

Amend section 8 by striking out all between the word "section," in the seventh line, (printed bill), and the word "and," in the 10th line, (printed bill); which was read and not agreed to.

The bill as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cook, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks,

Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Finks, Foster, Gray, Gwynne, Hayes, Haynes, Harrison, Hubbard, Helm, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley and Wisby—101.

NOES—Messrs. Beckner, Collins, Ewing and Haynes—4.

ABSENT—Messrs. Brady, Burford, Campbell of Atchison, Campbell of St. Louis city, Carroll, Craig, Dade, Freed, Hale, Harrigan, Harrington, Ingram, Kendall, Miles, O'Malley, Smith of Cedar, Turner, Windes, Younger and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—14.

SICK—Messrs. Burrows, Ham, Knight and Patterson of Linn—4.
The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion, the Speaker appointed Messrs. Lesueur, Bashaw and Harrison, as a Committee of Conference on the part of the House, to act with Senators Morrison, Naylor and Walker, on the part of the Senate, in considering Senate amendments to House bill No. 444.

Senate substitute No. 9 for Senate bill No. 52, entitled An act to revise and amend chapter 141 of the General Statutes of the State of Missouri, concerning attachments; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 29 for Senate bill No. 52, entitled An act to revise and amend that part of the General Statutes of the State of Missouri, concerning depositions; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed bills, would respectfully report that they have carefully examined House bill No. 709, entitled An act declaratory of the Revised Statutes of the State of Missouri, and their effect, and to provide for the collation, editing, printing, binding, publishing and distributing the same, and find the same

truly and correctly engrossed, and that the printed copies furnished the members are correct; which was read.

House bill No. 709, entitled An act declaratory of the Revised Statutes of the State of Missouri, and their effect, and to provide for their collation, editing, printing, binding, publishing and distributing the same; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Carroll, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Haynes, Hubbard, Helm, Kneisley, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Mr. Speaker—100.

NOES—Messrs. Alldridge, Andrews, Beckner, Bowman, Burford, Cloud, Cowan of Christian, Dade, Drum, Gray, Harrison, Hynes, Lockhart, Manistre, Maynard and Powell—16.

ABSENT—Messrs. Campbell of St. Louis city, Collins, Dawson, Hale, Harrigan, Harrington, Ingram, Johnson, Kendall and Younger—10.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs. Burrows, Ham, Knight and Patterson of Linn—4.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gwynne, Hayes, Haynes, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis

city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby and Mr. Speaker—104.

NOES—Messrs. Gray and Lockhart—2.

ABSENT—Messrs. Burford, Campbell of St. Louis city, Collins, Cowan of Christian, Carroll, Dade, Dawson, Diercks, Hale, Harrigan, Harrington, Ingram, Johnson, Kendall, Maynard, Morrison, Powell, Smith of Cedar, Windes and Younger—20.

ABSENT WITH LEAVE—Messrs. Cooper, Greer, Hall, Hammons, Larmore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs Burrows, Ham, Knight and Patterson of Linn—4.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre introduced bill No. 710, entitled An act to amend section 60 of an act to provide for the organization and government of the Missouri Militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act, approved May 6, 1879; which was read the first time, and, on motion, ordered printed for information.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred Senate substitute for substitute No. 1 for Senate bill No. 90, beg leave to report that they have considered the same, and recommend that it do pass with the amendments herewith submitted; which was read.

Senate substitute for Senate substitute No. 1 Senate bill No. 90; was taken up, with the following amendments, recommended by the Committee on Judiciary.

Amendment No. 1—Amend section 21, in line 2, by striking out the word "two," and inserting the word "four," in lieu thereof; which was read and agreed to.

Amendment No. 2—Amend by striking out section 23 and insert in lieu thereof the following, to be numbered section 23: Section 23. At the general election to be held in this State, in the year 1882, and every four years thereafter, there shall be elected in the city of St. Louis, for the St. Louis Court of Criminal Correction, one prosecuting

attorney and one assistant prosecuting attorney, who shall reside in said city, and shall possess the same qualifications and be subject to the same duties as are now provided by law for the government of said officers, and the duty of transmitting the abstract of the votes by which said officers are elected, heretofore devolving upon the county clerk, shall be performed by the register of said city, as provided in section 21 of this act; which was read and agreed to.

Amendment No. 3—Amend by inserting a new section, to be known as section 24, to read as follows: Section 24. The circuit attorney and assistant circuit attorney, the prosecuting attorney and assistant prosecuting attorney of the city of St. Louis, shall receive the same compensation, payable in like manner, as is now provided by law; which was read and agreed to.

Amendment No. 4—Amend section 24 by inserting after the words "prosecuting attorneys," in the first line of printed bill, the words "the circuit attorney and assistant circuit attorney, the prosecuting attorney and assistant prosecuting attorney;" which was read and agreed to.

Amendment No. 5—Amend section 25, printed bill, by inserting in line 2, after the word "general," the following words: "Prosecuting attorneys, circuit attorney or assistant circuit attorney, prosecuting attorney or assistant prosecuting attorney of the city of St. Louis;" which was read and agreed to.

Amendment No. 6—Amend section 27 of printed bill, by striking out the words "this act," and inserting in lieu thereof, the words "preceding section;" which was read and agreed to.

Amendment No. 7—Amend by changing the numbers of sections 24, 25, 26 and 27 to numbers 25, 26, 27 and 28 respectively; which was read and agreed to.

Mr. Booth offered the following amendment:

Amend section 13 of substitute for substitute No. 1, by adding to said section the following words: "And the punishment of the offense for which the prisoner is charged may be imprisonment in the county jail or State penitentiary;" which was read and not agreed to.

Mr. Haynes offered the following amendment:

Amend section 6 by striking out, in line five of printed bill, the words "reside at the county seat;" which was read.

Mr. Wells offered the following substitute for the amendment:

Amend section 6 by striking out the words "reside at the county seat," and insert in lieu thereof the words "shall keep an office at the county seat;" which was read and not agreed to.

The question recurring upon agreeing to the amendment; it was agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Gwynne, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Mr. Speaker—93.

NOES—Messrs. Miles and Windes—2.

ABSENT—Messrs. Bashaw, Beckner, Bowman, Burford, Campbell of St. Louis city, Carroll, Cock, Collins, Crowther, Dade, Farr, Foster, Gray, Hale, Harrigan, Ingram, Johnson, Kendall, Maynard, Mudd of Lincoln, McGarry, Saunders, Tiernan, Wiley, Wisby and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Dryden, Greer, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Vancleve and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. Gwynne moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Davis, House bill No. 650 was made the special order for 2½ o'clock P. M.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Davis, from the Committee of Conference on Senate substitute for Senate bills Nos. 86 and 207, submitted the following report:

MR. SPEAKER: Your Committee of Conference from the Senate and House, composed of Senators Mackey, Majors and Walker, and Representatives Davis, Wells and Dade, appointed to confer upon the differences between the Senate and House upon House amendments to substitute for Senate bills No. 86 and 207, respectfully report that they have considered the same, and recommend that the House recede from amendment No. 2, which is as follows: "Strike out the words 'in unincumbered real estate within the State of Missouri,' in lines 21 and 22 of section 4 of printed bill;"

And that the House recede from its amendment No. 5, and that the following substitute for section 10 be adopted by both houses, to-wit: "Strike out section ten, and insert in lieu thereof the following: Section 10. The sureties of any Treasurer or Auditor shall be held responsible for all acts of their principal until his successor is elected or appointed, commissioned and qualified: *Provided*, that if a new bond be given by either of said officers, in accordance with the provisions of this act, and such new bond is approved by the Governor, as in this act provided, then the sureties on the first bond shall only be held liable for all acts or omissions of their principal occurring prior to the giving and approval of such new bond;"

And that the Senate concur in House amendment No. 7, which is as follows: Strike out in lines 4 and 5 of section 35 of printed bill the words "and the amount of money loaned on which taxes are paid."

And that the House recede from that part of amendment No. 11, which reads as follows: Strike out in line 2 of section 42 of printed bill, the word "fifth," and insert the word "tenth;"

And that the Senate concur in that part of amendment No. 11 which reads as follows: Strike out the 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th lines of section 43, and insert the following: "And upon proof of any such offense, said officer shall forfeit his office, and the Attorney-General shall take immediate steps, under the direction of the Governor, to have said officer removed by a *quo warranto* proceeding in the Supreme Court;"

And that the Senate concur in amendment No. 14, which is as follows: Strike out section 73 of printed bill;

And that the House recede from amendment No. 15, which is as follows: Strike out the word "paid," in line 7 of section 76 of printed bill, and insert the words "provided for;"

And that the Senate concur in amendment No. 16, which is as follows: Strike out section 85 of printed bill;

And that the House recede from amendment No. 17, which is as follows: Strike out the words "Fund Commissioners," and insert the words "Governor and Attorney-General," in line 1 of section 86 of printed bill;

All of which is respectfully submitted.

Andrew Mackay, Samuel C. Major, jr., James H. Walker, Samuel Davis, Wm. C. Wells, Dabney Crosby Dade--Committee.

Which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bonham, Bohannon, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gwynne, Hayes, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Waggener, Warren, Wells, Weygandt, Wiley, Wisby and Mr. Speaker—95.

NOES—Mr. Burford—1.

ABSENT—Messrs. Alldridge, Andrews, Beckner, Brady, Brown, Campbell of St. Louis city, Carroll, Chilton, Foster, Gray, Hale, Harrington, Johnson, Kendall, Miles, Mudd of Lincoln, O'Malley, Patterson of Schuyler, Powell, Smith of St. Louis city, Talbot, Turner, Whitaker, Windes and Younger—25.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Tiernan, Vancleve and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 683, entitled An act authorizing the payment of unpaid salary due Thos. B. English, deceased, late judge of the tenth judicial circuit, and find the same truly and correctly enrolled; which was read.

House bill No. 683; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 350, entitled An act to appropriate money to pay revenue bonds, and find the same truly and correctly enrolled; which was read.

House bill No. 350; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President *pro tem.* of the Senate has appointed as a second Committee of Conference on substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, etc., Senators Edwards of Lafayette, Cottey and Heaston to confer with Messrs. Wells, Chenoweth and Hayes; which was read.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and refused to concur in House amendment to Senate amendment No. 3 to House bill No. 638, entitled An act to appropriate money, and respectfully requests a conference committee thereon, the President *pro tem.* having appointed on the part of the Senate, Senators Morrisson, Burkeholder and Manring; which was read.

The Speaker *pro tem.* appointed as said committee of conference on the part of the House, Messrs. Booth, Farr and Dilley.

The special order being the consideration of substitute for House bill No. 650, entitled An act imposing a tax and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits and malt liquors, within the limits of this State, by the drink, in addition to the license and ad valorem tax now or which may hereafter be required by law for State purposes; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Bohannon, Boulware, Bowman, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock,

Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pollard, Powers, Price, Riley, Reynolds, Smith of Cedar, Spring, Swank, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes and Younger—85.

NOES—Messrs. Arnold, Berryman, Bonham, Booth, Brewer, Brown, Burford, Campbell of St. Louis city, Cox, Crowther, Drum, Freed, Gwynne, Manistre, Mott, McCormick of St. Louis city, McGarry, O'Malley, Phelan, Powell, Ragan, Settles, Smith of St. Louis city, Wiley, Wisby and Mr. Speaker—26.

ABSENT—Messrs. Brady, Carroll, Chilton, Diercks, Foster, Gray, Hale, Harrigan, Kendall, Maynard, Saunders and Talbot—12.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dade, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pollard, Powers, Price, Riley, Reynolds, Saunders, Smith of Cedar, Spring, Swank, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Windes and Younger—89.

NOES—Messrs. Anderson, Berryman, Bonham, Booth, Brown, Burford, Campbell of St. Louis city, Crowther, Drum, Gwynne, Manistre, Mott, McCormick of St. Louis city, McGarry, O'Malley, Phelan, Powell, Ragan, Settles, Smith of St. Louis city, Wiley and Wisby—22.

ABSENT—Messrs. Brady, Carroll, Chilton, Diercks, Foster, Freed, Gray, Hale, Harrigan, Kendall, Talbot and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 588; entitled An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri, was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Cock, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Mahn, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Turner, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Younger—91.

NOES—Messrs. Andrews, Beckner, Bohannon, Brewer, Coleman, Dade, Dale, Gwynne, Helm, Lynn, Mabrey, Mackey, Manistre, McCormick of Washington and Phelan—15.

ABSENT—Messrs. Alldridge, Brady, Carroll, Chilton, Diercks, Foster, Gray, Hall, Harrigan, Kendall, Pollard, Talbot, Waggener and Mr. Speaker—14.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Tiernan, Vancleve and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn, Pollock and Powell—6.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. Lackland, House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebted-

ness at a lower rate of interest, and to provide for the payment of judgments; was made the special order for Tuesday, May 13th.

Mr. Anderson, from the Joint Committee on Revision, submitted the following report:

MR. SPEAKER: The Joint Committee on Revision, to whom was referred House joint and concurrent resolutions No. 53 and 62 in relation to the adjournment of the Thirtieth General Assembly of Missouri, beg leave to report that they have considered the same, and recommend that the following substitute do pass; which was read.

House concurrent resolutions Nos. 53 and 62, were taken up with the substitute recommended by the Joint Committee on Revision.

The substitute was read and adopted.

Mr. Wells offered the following resolution:

Be it resolved by the House of Representatives, as follows: That the various committees of this House to whom revenue bills have been heretofore referred, are hereby instructed to report the same back to this House without delay; which was read and adopted.

Mr. Powell was reported sick.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, entitled of wills, of title 32, of the General Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass with amendments herewith submitted; which was read.

Senate substitute for Senate bill No. 309; was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 22 by adding thereto the following words: "Or to the St. Louis Court of Appeals;" which was read and agreed to.

Amendment No. 2—Amend by striking out section 32, and insert in lieu thereof the following:

Section 32. In cases where lands are devised by last will a copy of such will shall be recorded in the recorder's office in the county where the land is situated, and if the lands are situated in different counties, then a copy of such will shall be recorded in the recorder's office in each county within six months after probate; which was read and agreed to.

The bill as amended was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman,

Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dawson, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Turner, Waggener, Warren, Weygandt, Whitaker, Windes, Wisby and Younger—83.

NOES—Messrs. Burford, Cowan of Christian, Dade and Ingram—4.

ABSENT—Messrs. Alldridge, Beckner, Booth, Brady, Carroll, Chenoweth, Chilton, Cock, Creager, Dale, Davis, Diercks, Dilley, Farr, Foster, Gray, Gwynne, Hayes, Hale, Harrigan, Johnson, Kendall, Lesueur, Manistre, Maynard, Miles, Morrison, O'Malley, Saunders, Smith of Cedar, Talbot, Wells, Wiley and Mr. Speaker—34.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tevis, Tiernan, Vancleve and Withers—16.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn, Pollock and Powell—6.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 308, entitled An act to revise and amend chapter 132, entitled of escheats, of title 32 of the General Statutes, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 308, was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Lesueur,

Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Tevis, Turner, Waggener, Warren, Weygandt and Younger—88.

NOES—Messrs. Andrews, Beckner and Ingram—3.

ABSENT—Messrs. Alldridge, Booth, Brady, Burford, Carroll, Chenoweth, Chilton, Dade, Diercks, Dilley, Foster, Freed, Greer, Gwynne, Hayes, Hale, Harrigan, Johnson, Kendall, Manistre, Maynard, Miles, O'Malley, Powell, Talbot, Wells, Whitaker, Wiley, Windes, Wisby and Mr. Speaker—31.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Dryden, Gray, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—16.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute No. 1 for Senate bill No. 69, entitled An act relating to the incorporation of scientific, benevolent, educational and miscellaneous associations, in which the concurrence of the House is requested.

Also, that the Senate has taken up and passed substitute for House bill No. 701, entitled An act concerning the publication of judicial notices in cities having more than 100,000 inhabitants; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Secretary of State, by striking out section 3 and by inserting a new section in lieu thereof, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Secretary of State, by striking out section three, and by inserting a new section in lieu thereof; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt Cox, Craig, Creager, Crow, Crowther, Dale, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Tevis, Turner, Waggener, Weygandt, Wisby and Younger—83.

NOES—Messrs. Beckner and Kneisley—2.

ABSENT—Messrs. Alldridge, Bonham, Booth, Brady, Burford, Carroll, Chenoweth, Chilton, Dade, Davis, Dawson, Diercks, Dilley, Farr, Foster, Gray, Gwynne, Hayes, Hale, Harrigan, Johnson, Kendall, Manistre, Maynard, Miles, O'Malley, Powell, Spring, Swank, Talbot, Warren, Wells, Whitaker, Wiley, Windes and Mr. Speaker—36.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Dryden, Greer, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Booth, from the Committee of Conference, on House bill No. 638, submitted the following report:*

MR. SPEAKER: Your Committee of Conference of House bill No. 638, have considered the same, and recommend that the Senate recede from its amendments numbered sections 12 and 13, and that the following be substituted therefor, to be numbered section 12: There is hereby appropriated out of the revenue fund the sum of eight thousand dollars, for the use and benefit of the State Board of Immigration. Morrison, Manning and Burkeholder, on the part of the Senate; Booth, Farr and Dilley, on the part of the House; which was read.

The question being upon the adoption of the report, the roll was called, and the report was adopted by the following vote :

AYES—Messrs. Adams, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Patterson of Schuyler, Phelan, Pollard, Powers, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Tevis, Turner, Waggener, Warren, Weygandt and Wisby—82.

NOES—Messrs. Brown, Cowan of Christian, Kneisley, Organ, Palmer and Price—6.

ABSENT—Messrs. Alldridge, Andrews, Ballew, Brady, Burford, Carroll, Chenoweth, Chilton, Dade, Dale, Davis, Diercks, Foster, Gray, Gwynne, Hayes, Hale, Harrigan, Ingram, Johnson, Kendall, Maynard, Miles, O'Malley, Powell, Saunders, Swank, Talbot, Wells, Whitaker, Wiley, Windes, Younger and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Anderson, Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—16.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

Mr. McIntyre, from the Joint Committee on Revision, introduced bill No. 711, entitled An act supplemental to amend section 3 of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matter, approved May 10, 1879; which was read the first time and laid over.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred substitute No. 2 for Senate bill No. 76, entitled An act revising and amending the laws relating to the normal schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 for Senate bill No. 76; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Anderson, Arnold, Bashaw, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Dilley, Dodson, Dougherty, Ellis, Ewing, Farr, Freed, Haynes, Harrington, Hubbard, Hynes, Helm, Lackland, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Tevis, Turner, Warren, Wisby and Younger—77.

NOES—Messrs. Bohannon, Cowan of Christian, Drum, Harrison, Kneisley, Louthan, Lynn, McElvain, Weygandt and Whitaker—10.

ABSENT—Messrs. Alldridge, Andrews, Ballew, Brady, Burford, Carroll, Chenoweth, Chilton, Crowther, Dade, Dale, Davis, Dawson, Diercks, Finks, Foster, Gray, Gwynne, Hayes, Hale, Harrigan, Ingram, Johnson, Kendall, Maynard, Miles, O'Malley, Powell, Saunders, Swank, Talbot, Waggener, Wells, Wiley, Windes and Mr. Speaker—36.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred substitute No. 2 for Senate bill No. 75, entitled An act to revise and amend chapter 3, title 2 of the General Statutes of the State of Missouri, concerning congressional districts and elections, and the election of electors of President and Vice-President, beg leave to report that they have considered the same, and recommend that said bill with the accompanying amendment do pass; which was read.

Senate substitute No. 2 for Senate bill No. 75; was taken up, with the following amendment, recommended by the Committee on Elections:

Amend section 18 by striking out of lines three and four the words, "all the newspapers printed in this State," and insert in lieu thereof the words, "not to exceed two newspapers in each of said districts in this State;" which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Dilley, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Harrington, Harrison, Hubbard, Hynes, Helm, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Spring, Tevis, Turner, Warren, Weygandt, Whitaker and Wisby—84.

NOES—Messrs. Cowan of Christian and Morrison—2.

ABSENT—Messrs. Alldridge, Andrews, Brady, Burford, Carroll, Chenoweth, Chilton, Dade, Davis, Diercks, Dodson, Foster, Gray, Gwynne, Hayes, Hale, Haynes, Harrigan, Ingram, Johnson, Kendall, Kneisley, Maynard, Moler, McGarry, O'Malley, Powell, Saunders, Settles, Smith of St. Louis city, Swank, Talbot, Tiernan, Waggener, Wells, Wiley, Windes, Younger and Mr. Speaker—39.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—14.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred substitute for substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 2, 1871, by striking out section 3 and inserting a new section in lieu thereof, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 22, 1871, by striking out section 3 and inserting a new section in lieu thereof; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Haynes, Harrington, Harrison, Hynes, Helm, Kneisley, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Riley, Reynolds, Settles, Smith of Cedar, Spring, Tevis, Turner, Warren, Weygandt and Whitaker—83.

ABSENT—Messrs. Alldridge, Andrews, Brady, Burford, Carroll, Chenoweth, Chilton, Dade, Davis, Diercks, Dilley, Foster, Freed, Gray, Gwynne, Hayes, Hale, Harrigan, Hubbard, Ingram, Johnson, Kendall, Maynard, Miles, McCormick of Washington, McGarry, O'Malley, Powell, Ragan, Saunders, Smith of St. Louis city, Swank, Talbot, Waggener, Wells, Wiley, Windes, Wisby, Younger and Mr. Speaker—40.

ABSENT WITH LEAVE—Messrs. Cooper, Dryden, Greer, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Tiernan, Vancleve and Withers—15.

SICK—Messrs. Burrows, Ham, Knight, Patterson of Linn and Pollock—5.

The title of the bill was read and agreed to.

Mr. Riley moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Riley, from the Committee on Deaf and Dumb and Lunatic Asylums, submitted the following report.

MR. SPEAKER: Your committee on Deaf and Dumb and Lunatic Asylums, to whom was referred substitute for Senate bill No. 303, beg leave to report the same back to the House, and ask that it be referred to the Committee on Blind Asylum; which was read.

Senate substitute for Senate bill No. 303; was taken up, and, on motion, referred to the Committee on Blind Asylum.

Senate substitute for Senate bill No. 88, entitled An act to revise and amend title 17 of chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands; was called up and read the first time.

Senate substitute for Senate bill No. 68, entitled An act relating to the incorporation of manufacturing and business companies; was called up and read the first time.

Senate substitute No. 1 for that part of Senate bill No. 69, included under chapter 70, title 24 of the General Statutes of Missouri, entitled An act relating to the incorporation of scientific, benevolent, educational and miscellaneous associations; was called up and read the first time.

Senate substitute for Senate bill No. 329, entitled An act providing for the partition of personal property; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 192, entitled An act in relation to the formation of new counties, and to provide for the apportionment and payment of the liabilities of counties affected by the alteration of the county boundaries; was called up, read the second time, and, on motion, referred to the Committee on County Boundaries.

House bill No. 643, entitled An act to regulate fees; was taken up, and on motion of Mr. Cook, the further consideration of the bill was postponed, and made the special order for Monday, May 12th, at 10 o'clock A. M.

On motion of Mr. Price, the House adjourned until Monday morning at 9 o'clock.

ONE HUNDRED AND THIRD DAY—MONDAY, May 12, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Mr. Wells, from the Committee on Claims, submitted the following report:

MR. SPEAKER: Your Committee on Claims, to whom was referred House bill No. 319, entitled An act for the relief of Hezekiah Lindsay, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 319; was taken up, and, on motion of Mr. Wells, laid on the table.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 638, entitled An act to appropriate money, and find the same truly and correctly enrolled ; which was read.

House bill No. 638, was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 533, entitled An act to provide for the transferring the records of swamp land patents from the office of the clerk of the county court to the office of the clerk of the circuit court, and find the same truly and correctly enrolled ; which was read.

House bill No. 533 ; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

House bill No. 710, entitled An act to amend section 60 of an act entitled an act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act, approved May 6, 1879 ; was called up, read the second time, and, on motion of Mr. Gwynne, referred to a special committee to be appointed by the Speaker.

The Speaker appointed as said special committee, Messrs. Gwynne, Craig and Settles.

House bill No. 711, entitled An act supplemental to amend section 3 of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matters ; was called up, read the second time, and, on motion, referred to the Committee on Retrenchment and Reform.

House joint and concurrent resolution No. 63, entitled Joint and concurrent resolution relating to rescinding and declaring null and void the contract made and entered into, by and between the Warden of the Penitentiary, and James B. Price, et al., by which the services of 400 convicts were let and hired to said James B. Price, et al.; was

called up, read the second time, and, on motion, referred to the Committee on Penitentiary.

Senate Substitute No. 1 for that part of Senate bill No. 69, included under chapter 70, title 24 of the General Statutes of Missouri, entitled An act relating to the incorporation of scientific, benevolent, educational and miscellaneous associations; was taken up, read the second time, and, on motion, referred to the Committee on Benevolent and Scientific Institutions.

Senate substitute for Senate bill No. 88, entitled An act to revise and amend title 17 of chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands; was taken up, read the second time, and, on motion, referred to the Committee on Swamp Lands.

Senate substitute for Senate bill No. 221, and in part for No. 68, entitled An act relating to the incorporation of manufacturing and business companies; was called up and read the second time.

Mr. Harrington offered the following amendment:

Amend in line 5, section 1, by adding after the word "business," the following: "*Provided*, such corporation shall not be incorporated in the individual or firm name of any person or persons;" which was read and agreed to.

Mr. Harrington offered the following amendment:

Amend this act by adding a new section, to be known as section 33, as follows: "Any corporation now existing which fails to comply with the provisions of section one of this act, on or before January 1st, 1880, shall cease to exist;" which was read and agreed to.

On motion, the bill, as amended, was referred to the Committee on Banks and Corporations.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee on House bill No. 638, entitled An act to appropriate money;

Also, that the Senate has adopted the report of the Committee of Conference on substitute for Senate bills Nos. 86 and 207, concerning the treasury department;

Also, that the Senate has taken up and concurred in House amendments Nos. 2 and 3 to substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142, and in part for Senate bill No. 100, and has refused to concur in amendment No. 1, and ask the House to recede therefrom;

Also, that the Senate has taken up and passed House bill No. 538, entitled An act for the relief of Julia S. Ivie, and to appropriate money therefor;

Also, House bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Mo.;

Also, that the Senate has taken up, amended and passed House bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredations by mining operations, approved April 21, 1877, in which the House is respectfully requested to concur; which was read.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute No. 4 for Senate bill No. 82; was taken up, with the following amendments recommended by the Committee on Insurance:

Amendment No. 1—Amend section 49, lines 61 and 73 of the printed bill, by inserting after the word "American," the word "Experience;" which was read and agreed to.

Amendment No. 2—Amend section 65, line 2 of printed bill, line 3 of engrossed bill, by inserting after the word "first," the words "of the;" which was read and agreed to.

Amendment No. 3—Amend section 69, line 3, by striking out the figure "8," and insert in lieu thereof the figure "5;" which was read and agreed to.

Amendment No. 4—Amend section 73 by striking out the figure "9," and insert in lieu thereof the figure "6;" which was read and agreed to.

Amendment No. 5—Amend section 73 by striking out the figure "8," and insert in lieu thereof the figure "5;" which was read and agreed to.

Amendment No. 6—Amend section 74 by striking out the figure "9," and insert in lieu thereof the figure "6;" which was read and agreed to.

Amendment No. 7—Amend section 78, line 3, engrossed bill, by striking out the word "article," and insert in lieu thereof the word "act;" which was read and agreed to.

Amendment No. 8—Amend section 84, line 1, by inserting after the word “association,” the words “other than life;” which was read and agreed to.

Amendment No. 9—Amend section 114, line 14, engrossed bill, by striking out the word “solvent,” and insert in lieu thereof the word “insolvent;” which was read and agreed to.

Amendment No. 10—Amend section 119, line 12, printed bill, line 18, engrossed bill, by striking out the word “it,” and inserting in lieu thereof the word “he;” which was read and agreed to.

Amendment No. 11—Amend section 126, line 28, printed bill, by inserting after the word “American,” the word “experience;” which was read and agreed to.

Amendment No. 12—Amend section 140, line 2, by striking out the words “fire, river or marine;” which was read and agreed to.

Amendment No. 13—Amend section 86, line 12 of printed bill, by striking out the word “thirty,” and inserting in lieu thereof the word “sixty;” which was read and agreed to.

Amendment No. 14—Amend section 101, lines 27 and 28, printed bill, by striking out the word “assignees,” and insert the word “assignors;” which was read and agreed to.

Amendment No. 15—Amend section 121, line 7, printed bill, line 11, engrossed bill, by adding after the word “company,” the words “subject to the approval of the court;” which was read and agreed to.

Amendment No. 16—Amend section 49, line 69, printed bill, by inserting after the word “shall,” the words, “after December 31, 1880;” which was read and agreed to.

Amendment No. 17—Amend section 101, line 11 of printed bill, by inserting after the word “thereof,” the words, “when such company is insolvent and the failure to collect such loans before the company shall have been adjudged insolvent, shall be *prima facie* evidence of the insolvency at the time such loan was made,” and by striking out, in line 12 of printed bill, the word “officers,” and insert in lieu thereof the word “persons,” and by striking out all after the word “interest,” in line 14 up to the word “provided,” in line 18; which was read and agreed to.

Mr. Taylor offered the following amendment:

Amend section 63 by substituting the following therefor: “Any company doing business in this State, and issuing policies on the lives of persons shall, in the event the insured commit suicide, pay the beneficiary the amount of net reserve to which such policy is entitled;” which was read and not agreed to.

Mr. Mott offered the following amendment:

Amend section 63 by inserting after the word "suicide," the words, "after such policy shall have been issued three years and;" which was read and not agreed to.

The bill, as amended, was then read the third time and passed by the following vote :

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Burford, Bryan, Campbell of Atchison, Carleton, Chenoweth, Cock, Coleman, Collins, Cook, Cowan of Holt, Creager, Crowther, Dale, Davis, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hynes, Helm, Kendall, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Younger—91.

NOES—Messrs. Alldridge, Beckner, Booth, Bowman, Campbell of St. Louis city, Cloud, Cooper, Cowan of Christian, Cox, Craig, Crow, Dilley, Dodson, Gwynne, Hubbard, Ingram, Johnson, Knight, Lackland, Manistre, McCormick of St. Louis city, McIntyre and Saunders—23.

ABSENT—Messrs. Andrews, Carroll, Chilton, Chitwood, Dade, Dawson, Foster, Harrigan, Maynard, Mott, Wisby and Mr. Speaker—12.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Taylor, Vancleve and Withers—13.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Louthan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Gwynne, from the Special Committee on House bill No. 710, submitted the following report :

MR. SPEAKER: Your Special Committee, to whom was referred House bill No. 710, entitled An act to amend section 60 of an act entitled an act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act, approved May 6, 1879, beg leave to report that they have considered the

same, and believing that it should be passed by the House, therefore report the same without recommendation; which was read.

House bill No. 710; was taken up, and, on motion, ordered engrossed and printed.

The special order being the consideration of House bill No. 643, entitled An act to regulate fees; was taken up.

Mr. Taylor moved to reconsider the vote by which the bill was ordered engrossed and printed.

Mr. Haynes moved to lay the bill on the table.

The question being upon the motion to lay on the table,

The ayes and noes were demanded, and the motion to lay on the table prevailed by the following vote:

AYES—Messrs. Arnold, Ballew, Berryman, Booth, Bowman, Carleton, Cloud, Cock, Coleman, Cooper, Cowan of Holt, Craig, Creager, Crow, Davis, Dawson, Dilley, Dodson, Drum, Ewing, Farr, Freed, Gray, Hayes, Hale, Haynes, Harrington, Hubbard, Hynes, Helm, Ingram, Kendall, Lackland, Manistre, Maynard, Miles, Morrison, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, McIntyre, McKill, O'Malley, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Ragan, Reynolds, Saunders, Smith of St. Louis city, Swank, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt and Wiley—62.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Collins, Cook, Cowan of Christian, Cox, Crowther, Dale, Diercks, Dougherty, Ellis, Finks, Harrison, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Mudd of Lincoln, Mudd of St. Louis, McElvain, Organ, Palmer, Powell, Price, Riley, Smith of Cedar, Spring, Talbot, Whitaker and Windes—50.

ABSENT—Messrs. Brady, Carroll, Chilton, Chitwood, Dade, Foster, Greer, Gwynne, Harrigan, Knight, Louthan, Moler, Settles, Wisby, Younger and Mr. Speaker—16.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve and Withers—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 333, entitled An act to revise and amend the laws in relation to the assessment of railroad property and the

collection of taxes thereon, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 333, was taken up, read the third time and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Harrington, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wiley—107.

NOES—Messrs. Ingram, Johnson and Powell—3.

ABSENT—Messrs. Berryman, Brady, Carroll, Chilton, Chitwood, Cowan of Christian, Craig, Dade, Foster, Haynes, Harrigan, Mott, Mudd of St. Louis, Tiernan, Windes, Wisby, Younger and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve and Withers—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Pollard, from the Committee of Conference, on Senate substitute No. 2 for Senate bill No. 101, submitted the following report :

MR. SPEAKER: Your Committee of Conference, to whom was referred the consideration of the differences between the Senate and the House of Representatives on House amendment to section number one (1) of substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter thirty-six of the General Statutes of Missouri, concerning the removal of county-seats, beg leave to report that they have considered the same, and have agreed upon the following substitute for said House amendment to said section 1, as an ad-

justment of the said differences of the two houses and recommend that the same do pass:

Strike out all of section one after the word "year," in line 6, engrossed bill, and insert in lieu thereof the following: "Provided, that in all counties of this State where terms of the circuit court or courts of common pleas are held at a place other than the county-seat of such county, and presided over by a circuit court judge, a court-house and jail may be erected at such other place where such terms of the circuit court and common pleas court are held, other than the county-seat, under like proceedings as may be had for erecting a court-house and jail at the county-seat."

All of which is respectfully submitted by your committee. G. F. Ballingal, S. M. Lloyd, R. F. Lakenan, S. C. Ragan; which was read, and, on motion, disagreed to.

Mr. Pollard moved that another Committee of Conference, consisting of three members, be appointed by the Speaker, to confer with a like number to be appointed by the President of the Senate, for the purpose of considering Senate substitute No. 2 for Senate bill No. 101; which was agreed to.

The Speaker pro tem. appointed as said Committee of Conference on the part of the House, Messrs. Bashaw, Maynard and Wiley.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bills Nos. 215, 216, 217 and 218, entitled An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to the capital stock of any railroad company, etc., beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bills Nos. 215, 216, 217 and 218 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hale, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, Mc-

Daniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Younger—107.

NOES—Messrs. Collins, Gray and Powell—3.

ABSENT—Messrs. Brady, Carroll, Chenoweth, Chilton, Chitwood, Dade, Foster, Haynes, Harrigan, Harrington, Johnson, Kendall, Lesueur, McCormick of St. Louis city, Wiley, Windes, Wisby and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve and Withers—11.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Bashaw moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Tevis, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred substitute for Senate bills Nos. 245, 152, 275, 317 and 89, and House bill No. 155, entitled An act to revise and amend the general law in relation to roads and highways, providing for establishing, opening, repairing and vacating the same, beg leave to report that they have considered the same, and recommend that it do pass, with the following amendments; which was read.

Senate substitute for Senate bills Nos. 245, 152, 275, 317 and 89, was taken up, with the following amendments recommended by the Committee on Roads and Highways:

Amendment No. 1—Amend section 11 by striking out the word "May," in the 4th line of printed bill, and inserting in lieu thereof "February," and by adding at the end of said section the words "and it shall be the duty of the said court at said term to designate by order the number of days of such person, liable to work on public roads, shall work, which shall not be less than *one* or more than *four* days of each year;" which was read and agreed to.

Amendment No. 2—Amend section 20 by striking out all between the words "year," in the 2nd line of printed bill, and "levy," in the 5th line; which was read and agreed to.

Amendment No. 3—Amend section 31 by striking out, in line 2 of printed bill, the word "May," and insert in lieu thereof the word "February;" which was read and agreed to.

Amendment No. 4—Amend section 26 by striking out the words “road overseer,” in line 4 of printed bill, and insert “county court;” which was read and agreed to.

Mr. Taylor offered the following amendment:

Amend by striking out all of section 4 after the word “fund,” in line 9 of the printed printed bill; which was read and agreed.

Mr. Wells offered the following amendment:

Amend section 20 by adding to said section the following words: “Provided, that in any county where the county court shall so order, the road taxes of resident tax-payers, shall not be placed on the State and county tax books, but shall be collected by the road overseers from the road tax books as provided for in section 22 of this act;” which was read and not agreed to.

Mr. Turner offered the following amendment:

Amend section 11 by adding the following: “And the court at its May term shall specify the maximum number of days every such overseer shall be employed in his district for such year;” which was read and not agreed to.

Mr. Riley offered the following amendment:

Amend section 4 by adding after the word “bridges,” in line 2 of printed bill, the following: “that cost over three hundred dollars;” which was read and not agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Hale, Haynes, Harrington, Hubbard, Hynes, Helm, Johnson, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt and Wiley—91.

NOES—Messrs. Beckner, Burford, Harrison, Ingram, Mudd of St. Louis, Powell, Reynolds, Wells and Younger—9.

ABSENT—Messrs. Andrews, Bashaw, Boulware, Brady, Carroll, Chenoweth, Chilton, Cowan of Christian, Dade, Davis, Foster, Freed,

Harrigan, Kendall, Lesueur, Maynard, Moler, McCormick of St. Louis city, O'Malley, Ragan, Whitaker, Windes and Wisby—23.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Dryden, Gwynne, Hall, Hammons, Larimore, McDaniel, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve, Withers and Mr. Speaker—16.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.
The title of the bill was read and agreed to.

Mr. Taylor moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
May 12, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act to appropriate money to pay revenue bonds;

An act in relation to the title to certain school lands in township 45 north, range 7 east of the fifth principal meridian;

An act to provide for the organization of counties into municipal townships, and to provide for the local government thereof;

An act to provide for the transferring of records of swamp land patents from the office of the clerk of the county court to the office of the recorder of deeds.

Very respectfully,
JOHN S. PHELPS.

Which was read.

Mr. Dawson, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 247, entitled An act requiring certain officers to pay over fees to the treasurer of certain municipalities, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 247; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Drum, Ellis, Ewing, Farr,

Finks, Gray, Greer, Hayes, Hale, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Younger—101.

ABSENT—Messrs. Beckner, Brady, Burford, Carroll, Chilton, Cock, Dade, Diercks, Dougherty, Foster, Freed, Gwynne, Harrigan, Harrington, Kendall, Kneisley, Knight, Lesueur, Maynard, O'Malley, Saunders, Tiernan, Wiley, Windes and Wisby—25.

ABSENT WITH LEAVE—Messrs. Campbell of St. Louis city, Dryden, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve, Withers and Mr. Speaker—13.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt, Whitaker and Wiley—101.

ABSENT—Messrs. Berryman, Brady, Burford, Campbell of St. Louis city, Carroll, Chilton, Dade, Dale, Dawson, Foster, Gwynne, Hale, Harrigan, Harrington, Knight, Lesueur, Maynard, Moler, O'Malley, Powell, Settles, Taylor, Warren, Windes, Wisby and Younger—26.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve, Withers and Mr. Speaker—12.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. McCormick of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred Senate substitute for Senate bill No. 209, entitled An act to revise and amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, their general powers and liabilities, beg leave to report that they have considered the same, and recommend that it do pass, with an amendment striking out sections 25, 26 and 27; which was read.

Senate substitute for Senate bills Nos. 209 and 70; was taken up, with the following amendment recommended by the Committee on Banks and corporations:

Amend by striking out sections 25, 26 and 27; which was read and agreed.

Mr. Arnold offered the following amendment:

Strike out the words "and recorded," in the second line of section 6, printed bill.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Wiley—104.

ABSENT—Messrs. Beckner, Berryman, Brady, Burford, Carroll, Chilton, Cock, Coleman, Creager, Dade, Foster, Gwynne, Hale, Harri-gan, Maynard, Miles, O'Malley, Spring, Swank, Windes, Whitaker, Wisby, Younger and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Dryden, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve and Withers—11.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.
The title of the bill was read and agreed to.

Mr. Campbell of St. Louis, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, bills of the following Nos. and titles, to wit: Substitute for Senate bill No. 259, entitled An act to create and perpetuate free public school funds for the several counties of this State;

Substitute for Senate bill No. 205, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines; and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877;

Senate bill No. 302, entitled an act fixing the liability of common carriers receiving property for transportation;

Substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 96 of the General Statutes of Missouri, concerning peddlers and their licenses;

Substitute for Senate bill No. 325, entitled An act to revise and amend an act entitled an act to establish a court of common pleas in the city of Cape Girardeau, approved February 22d, 1851;

And Substitute No. 2 for Senate bill No. 69, entitled An act to provide for the incorporation of mutual saving fund, loan and building associations;

Also, that the Senate has taken up, amended and passed Substitute for House joint and concurrent resolutions Nos. 53 and 62, in relation to adjournment; in which the concurrence of the House is respectfully requested; which was read.

On motion of Mr. Price, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.*, Campbell, in the chair.

Senate substitute for Senate bill No. 205, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2nd, 1877; was called up, and read the first time.

Senate substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 96 of the General Statutes of the State of Missouri, concerning peddlers and their licenses; was called up, and read the first time.

Senate substitute No. 2, in part for Senate bill No. 69, entitled An act to provide for the incorporation of mutual saving fund, loan and building associations; was called up, and read the first time.

Senate substitute for Senate bill No. 259, entitled An act to create and perpetuate free public school funds for the several counties of this State; was called up and read the first time.

Senate bill No. 302, entitled An act fixing the liability of common carriers, receiving property for transportation; was called up, and read the first time.

Senate substitute for Senate bill No. 325, entitled An act to revise and amend an act to establish a court of common pleas in the city of Cape Girardeau, approved February 22d, 1851; was called up, and read the first time.

Substitute for House joint and concurrent resolutions Nos. 53 and 62, entitled Joint and concurrent resolution in relation to the adjournment of the General Assembly of Missouri; was taken up, with the following Senate amendment thereto:

Amend by striking out the words, "11 o'clock," and insert "10 o'clock," which was read and agreed to.

House bill No. 493, entitled An act to provide for filling the office of recorder of deeds in all counties wherein such office has been separated from the office of county clerk; was called up, with the following Senate amendment, (said amendment having been printed).

Amend section 1 by inserting after the word, "State," in 3d line, the words, "wherein the assessed valuation of all property, shall exceed fifteen million dollars;" which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodsen, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Gray, Greer, Gwynne,

Hayes, Hale, Harrington, Harrison, Hynes, Helm, Ingram, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Mudd of Lincoln, McCormick of Washington, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker and Younger—87.

NOES—Mr. Mudd of St. Louis—1.

ABSENT—Messrs. Andrews, Beckner, Berryman, Bowman, Brady, Burford, Campbell of Atchison, Carroll, Cowan of Holt, Dade, Dale, Davis, Foster, Freed, Haynes, Harrigan, Hubbard, Johnson, Kendall, Kneisley, Lackland, Manistre, Miles, Moler, Morrison, Mott, McCormick of St. Louis city, McGarry, O'Malley, Pollard, Powell, Settles, Tevis, Wells, Wiley, Windes and Wisby—37.

ABSENT WITH LEAVE—Messrs. Anderson, Dryden, Hall, Hammons, Larimore, McDaniel, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve, Withers and Mr. Speaker—14.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

Mr. Taylor moved to reconsider the vote by which the amendment was concurred in, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Belch for four days.

Senate substitute for House bill No. 3, entitled An act to amend sections 1 and 4, and to repeal sections 5, 7 and 8 of an act entitled an act to provide for the registering and licensing of dogs, approved April 13, 1877; was taken up, said substitute having been printed.

On motion of Mr. Palmer, the substitute was disagreed to.

Mr. Wells, from the Committee of Conference on Senate substitute for Senate bill No. 194, submitted the following report :

MR. SPEAKER : The Committee of Conference of the two Houses, composed of Senators Edwards of Lafayette, Cotty and Heaston, on the part of the Senate, and Representatives Wells, Chenoweth and Hayes, on the part of the House, to whom was referred Senate bill No. 194, with sundry House amendments not concurred in by the Senate, have had the same under consideration, and unanimously recommend that the Senate concur in amendment No. 1. Strike out lines 14, 15, 16 and 17, and insert in lieu thereof the following : " For printing catalogue of State University, one thousand three hundred and eighty-nine dollars and thirty-eight cents (\$1,389.38) ; for printing Agricultural Report in German, one thousand and twenty-one dollars and thirty-eight cents (\$1,021.38) ; for printing reports and documents ordered by the General Assembly, six hundred and forty-six dollars and sixty-three cents (\$646.63) ; for printing for executive departments, one

thousand three hundred and ninety-six dollars and seventy-six cents (\$1,396.76); for publishing decisions of the Supreme Court, eight hundred and fifty-seven dollars and forty-two cents (\$857.42.) The House recedes from amendment No. 2, viz.: Amend by striking out lines 64 and 65 as follows: "For pay of Jesse W. Henry, on salary as assistant librarian, out of the fund for the pay of civil officers, three hundred and eighty-five dollars (\$385.00.) The Senate concurs in amendment No. 3. Strike out lines 22 and 23, to-wit: "For costs in civil cases, one hundred and eighty-eight dollars and eighty-one cents (\$188.81.) The House recedes, and offers the following substitute for amendment No. 4, to-wit: Amend section 1 by striking out the words, "for support of State Lunatic Asylum No. 1, twelve thousand five hundred dollars (\$12,500.00)," and insert in lieu thereof, the following: "for pay of certificates of indebtedness, issued in June, 1878, to State Lunatic Asylum No. 1, eleven thousand dollars (\$11,000.00); *Provided*, The holder of said certificate shall surrender the same to the State Auditor for cancellation, upon the execution and delivery to the said holder, an Auditor's warrant for the said sum of eleven thousand dollars." The Senate concurs in amendment No. 5, to-wit: Amend by striking out all of line 63 of printed bill, to-wit: "for pay on back indebtedness on Rolla School of Mines, five thousand dollars (\$5,000.00), all of which is respectfully submitted for adoption by the House. E. M. Edwards, L. F. Cottey and D. J. Heaston, on the part of the Senate; Wm. C. Wells, A. W. Chenoweth and J. V. Hayes, on the part of the House; which was read.

The question being upon the adoption of the report, the roll was called, and the report adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Freed, Hayes, Hale, Haynes, Hubbard, Helm, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Turner, Waggener, Wells, Weygandt and Wiley—84.

NOES—Messrs. Alldridge, Beckner, Brown, Burford, Cooper, Cowan of Christian, Davis, Farr, Gray, Greer, Harrington, Hynes, In-

gram, Johnson, Miles, Mott, Mudd of St. Louis, Palmer, Powell, Reynolds, Tiernan, Warren, Whitaker, Windes and Younger—25.

ABSENT—Messrs. Bashaw, Bowman, Brady, Campbell of Atchison, Carroll, Creager, Dade, Dodson, Foster, Harrigan, Harrison, Kendall, Lesueur, O'Malley, Taylor, Tevis and Wisby—17.

ABSENT WITH LEAVE—Messrs. Dryden, Gwynne, Hall, Hammons, Larimore, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve Withers and Mr. Speaker—13.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

Mr. Wells moved to reconsider the vote by which the bill was adopted, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Riley for three days.

Leave of absence was granted the Committee on Judiciary for the afternoon.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bill No. 23, entitled nonforfeiture of life insurance and endowment policies, beg leave to report that they have considered the same, and report it back without recommendation; which was read.

House bill No. 23; was taken up, and, on motion, ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bill No. 79, entitled An act to revise and amend title 1 of the General Statutes of the State of Missouri, concerning the State census, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 79; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Berry, Berryman, Bohannon, Bonham, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St.

Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—99.

NOES—Mr. Younger—1.

ABSENT—Messrs. Ballew, Bashaw, Beckner, Boulware, Bowman, Burford, Campbell of Atchison, Carroll, Cooper, Dade, Foster, Harri-gan, Johnson, Kendall, Mackey, Maynard, Saunders, Tevis, Windes and Wisby—20.

ABSENT WITH LEAVE—Messrs. Arnold, Booth, Dryden, Gwynne, Hall, Hammons, Lackland, Larimore, Mabrey, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Vancleve, Wiley, Withers and Mr. Speaker—19.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Lesueur, from the Committee of Conference, on House bill No. 444, submitted the following report :

MR. SPEAKER: Your Committee of Conference, to whom was referred House bill No. 444, on disagreement between the two houses, have considered the same and respectfully submit the following report and recommendations :

First—That the House agree to Senate amendment No. 1.

Second—That Senate Amendment No. 2 be amended by striking out the words "twenty-five hundred dollars," in lines 2 and 3 of the printed amendments, and inserting therefor the words "two thousand two hundred and fifty dollars," and that the amendment so amended be adopted,

Third—That the Senate recede from amendments Nos. 3, 5, 8, 9 and 11.

Fourth—In lieu of Senate amendment No. 13, the committee recommend that section 28 of the House bill, be amended by striking out of the first and second lines the words, "the warden shall reside within the precincts of the prison, and."

Fifth—In lieu of Senate amendments Nos. 14 and 15, the committee recommends that section 29 of the House bill, be stricken out and the following be substituted in its place: "Section 29. The warden shall not sell or give to any of the officers or employes of the prison, any fuel, forage, provisions or manufactured articles under his charge, nor permit such things to be taken or used, except for the use and

benefit of the State. Any alleged violation of this provision may be examined into by the Governor and Board of Inspectors, and if found to be true, shall be held to be just cause for the removal of the warden."

Sixth—That section 30 of the House bill, be stricken out and the following be inserted in its stead: Section 30. It shall be unlawful for the warden to hire out either male or female convicts as domestic servants to any person outside of the prison walls, or to permit any male or female convict to be used as a domestic servant without reward: *Provided*, That nothing in this section shall be construed into forbidding the warden and deputy warden from using convicts as servants in their own families.

Seventh—That the Senate recede from amendment number seventeen.

Eighth—That the House agree to amendment number eighteen.

Ninth—That the Senate recede from amendment number twenty.

Tenth—That the House agree to amendments number 21, 22, 24, 25, 26 and 27; all of which is respectfully submitted, T. J. O. Morrison, James H. Walker, D. H. Naylor, on the part of the Senate: A. A. Lesueur, T. P. Bashaw, S. T. Harrison, on the part of the House, Committee of Conference.

Which was read.

The question being upon the adoption of the report,

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Cooper, Cox, Craig, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Hayes, Hale, Haynes, Harrington, Hynes, Helm, Knight, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Ragan, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Turner, Vancleve, Waggener, Warren, Weygandt and Whitaker—76.

NOES—Messrs. Alldridge, Anderson, Beckner, Bohannon, Burford, Collins, Cook, Cowan of Christian, Creager, Dale, Davis, Freed, Gray, Greer, Harrison, Hubbard, Ingram, Kendall, Kneisley, Powell, Price, Reynolds, Saunders, Tiernan and Younger—25.

ABSENT—Messrs. Andrews, Ballew, Bryan, Carroll, Chenoweth, Cowan of Holt, Dade, Dawson, Farr, Foster, Harrigan, Johnson, Louthan, Moler, Swank, Tevis, Wells, Windes and Wisby—19.

ABSENT WITH LEAVE—Messrs. Arnold, Booth, Dryden, Gwynne, Hall, Hammons, Lackland, Larimore, Mabrey, McDaniel, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Wiley, Withers and Mr. Speaker—19.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bill No. 711, entitled An act supplemental to amend section 3 of an act entitled an act to revise and amend title 26, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matter, beg leave to report that they have considered the same and report it back to the House with recommendation that it do pass, with accompanying amendment; which was read.

House bill No. 711 was taken up, with the following amendment recommended by the Committee on Retrenchment and Reform.

Amend by striking out the title, and inserting in lieu thereof the following: An act supplemental and amendatory of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matters, approved May 10, 1879, by amending the third section of said act; which was read and agreed to.

The bill, as amended, was then ordered engrossed and printed.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute No. 13 for Senate bill No. 82, entitled An act to revise and amend chapter 95 of the General Statutes of the State of Missouri, concerning auctioneers and their licenses, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 13 for Senate bill No. 82 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Gray, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hynes, Helm, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCor-

mick of St. Louis city, McDaniel, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Vancleve, Waggener, Warren and Wells—90.

NOES—Messrs. Alldridge, Andrews, Beckner, Burford, Cooper, Cowan of Christian, Hubbard, Ingram, Johnson, McElvain, Powell, Weygandt and Younger—13.

ABSENT—Messrs. Campbell of Atchison, Carroll, Chitwood, Cock, Dade, Dawson, Diercks, Foster, Harrigan, Kendall, Kneisley, Knight, Maynard, Tevis, Tiernan, Whitaker, Windes and Wisby—18.

ABSENT WITH LEAVE—Messrs. Arnold, Booth, Dryden, Gwynne, Hall, Hammons, Lackland, Larimore, Mabrey, McIntyre, McKinney, Pehle, Pepper, Rawlings, Souder, Wiley, Withers and Mr. Speaker—18.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the use of the State fund, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 345 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Bashaw, Berry, Berryman, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Coleman, Collins, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Davis, Diercks, Dodson, Dougherty, Ellis, Ewing, Farr, Finks, Freed, Greer, Hayes, Hale, Haynes, Hubbard, Helm, Kendall, Kneisley, Knight, Lockhart, Louthan, Lynn, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Taylor, Turner, Waggener, Warren, Wells and Weygandt—80.

NOES—Messrs. Bohannon, Burford, Cloud, Cook, Cooper, Cowan of Christian, Gray, Harrison, Hynes, Ingram, Johnson and Mudd of St. Louis—12.

ABSENT—Messrs. Ballew, Beckner, Campbell of Atchison, Carroll, Cock, Creager, Dade, Dawson, Dilley, Drum, Foster, Harrigan, Harrington, Lesueur, Manistre, Maynard, Morrison, Mott, McCormick of St. Louis city, Powell, Spring, Tevis, Tiernan, Whitaker, Windes, Wisby and Younger—27.

ABSENT WITH LEAVE—Messrs. Arnold, Booth, Dryden, Gwynne, Hall, Hammons, Lackland, Larimore, Mabrey, McIntyre, McKinney, Pehle, Pepper, Rawlings, Riley, Souder, Vancleve, Wiley, Withers and Mr. Speaker—20.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate substitute No. 9 for Senate bill No. 82, entitled An act to revise and amend an act entitled an act of merchants and their licenses, in which the concurrence of the House is respectfully requested; which was read.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bill No. 692, entitled An act to amend an act entitled an act to amend section thirty-seven (37) of an act approved March 26, 1874, entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 692; was taken up, and, on motion, ordered engrossed and printed.

Mr. Collins introduced a concurrent resolution, entitled Concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their influence, immediately, for the peaceable entry and settlement of the lands in the Indian Territory belonging to the Government of the United States; which was read the first time and laid over.

Mr. Mott, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 633; was taken up, and, on motion, ordered engrossed and printed.

Mr. Mott, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of 1865, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 630; was taken up, and, on motion, ordered engrossed and printed.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of Missouri, concerning the Institution for the Education of the Blind, beg leave to report that they have considered the same, and recommend that it be referred to the Committee on the Blind Asylum; which was read.

Senate substitute for Senate bill No. 303; was taken up, and, on motion, referred to the Committee on Blind Asylum.

Senate substitute No. 9 for Senate bill No. 82, entitled An act to revise and amend an act entitled an act of merchants and their licenses; was called up and read the first time.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND FOURTH DAY—TUESDAY, May 13, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cock, the further reading was dispensed with.

The Speaker *pro tem.* laid before the House the following communication from the State Treasurer :

CITY OF JEFFERSON, May 13, 1879.

To the Honorable House of Representatives of the Thirtieth General Assembly :

In compliance with a resolution adopted by your honorable body, May 6, requesting me to furnish you certain information concerning the finances of the State, I have the pleasure of submitting the following report, showing the receipts and disbursements of the treasury for the four months ending April 30, 1879; also, giving the balances in the various funds on the first days of January and May of this year, as follows :

	Balance Jan. 1, 1879.	Receipts in 1879.	Disbursements in 1879.	Balance May 1, 1879.
State Revenue Fund.....	\$177,418 06	\$679,492 19	\$845,408 23	\$11,502 02
State Interest Fund.....	156,039 79	606,004 19	57,660 00	704,383 98
State School Fund.....	457 11	.....	.....	457 11
State School Moneys.....	120,828 48	382,255 18	301,711 50	201,372 16
State Seminary Fund	95 08	.....	.....	95 08
State Seminary Moneys.....	.....	3,660 00	3,660 00	.....
State Library Fund.....	1,355 30	.....	.....	1,355 30
Executors and Admr's Fund....	12,885 74	608 11	.....	13,493 85
Redemption of Land Fund.....	9 58	.....	.....	9 58
Insurance Department Fund....	2,964 29	5,432 35	5,432 35	2,964 29
Road and Canal Fund.....	412 49	.....	.....	412 49
Totals.....	\$472,465 92	\$1,677,452 02	\$1,213,872 08	\$936,045 86

I estimate the amount that will be received into the revenue and interest funds during the years 1879 and 1880 at \$4,925,000.00, or \$390,000.00 less than was actually received into said funds during the last two years, to which add \$275,000.00 balance in these funds January 1, 1879, we have the sum of \$5,200,000.00 as the probable resources of said funds for the years 1879 and 1880.

In arriving at the actual receipts during the last two years, I have added to the receipts as shown by my report, dated January 14, 1879, the sum of \$190,000.00 collected by my predecessor after the first of January, 1877, and reported by him as collected during the year 1876.

The appropriations made by the present General Assembly from these funds to date, aggregate, in round numbers, \$5,265,000.00. Of this amount, I estimate that at least \$165,000.00 will not be withdrawn from the treasury, for the reason it will not be needed for the purposes it has been appropriated—for instance, \$60,000.00 was appropriated for the support of the Penitentiary, none of which has been used thus far, nor will likely be used, for the reason the earnings of that institution for the past year have been sufficient to relieve the treasury from the payment of any sum out of said appropriation. The permitting of convicts to be worked under contract in the coal mines of Johnson county will do away with the necessity of constructing additional buildings in the Penitentiary. I therefore estimate that \$25,000.00 of the \$45,000.00 appropriated for this purpose will not be withdrawn from the treasury. I estimate that \$35,000.00 of the \$75,000.00 appropriated to pay officers and employes of the Penitentiary will remain in the treasury, unexpended. This estimate is based on the last quarterly report of the Warden.

I estimate the amounts as below stated will not be withdrawn from the following appropriations, for the reason the appropriations exceed the actual amount required for the same purposes during the last two years, as follows:

Pay assessing and collecting revenue	\$28,000.00
Pay costs in criminal cases	9,000.00
Pay apprehension of criminals	6,000.00
Pay publishing decisions of supreme court	1,000.00
Pay contingent expenses of several departments	1,000.00

To recapitulate, I estimate the demands that will be probably made against the revenue and interest funds during 1879 and 1880 at \$5,100,000.00, or \$100,000.00 less than the probable receipts.

I have the honor to be, very respectfully,

ELIJAH GATES,
State Treasurer.

Which was read.

On motion, the report was referred to the Committee on Ways and Means, and 250 copies were ordered printed.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the committee of conference appointed by the two houses to consider substitute for House bill No. 444, entitled An act in relation to the State Penitentiary, etc. ;

Also, the report of the committee of conference on substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, etc. ; which was read.

Leave of absence was granted the Committee on Ways and Means for the forenoon.

Senate substitute for Senate bills 92 and 93, entitled An act to revise and amend the code of criminal procedure, declaring and defining public offenses, etc. ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 102, entitled An act to revise and amend title 14 of the General Statutes of the State of Missouri, relating to insane and other persons incapable of managing their affairs ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 2 in part for Senate bill No. 100, entitled An act to revise and amend an act entitled an act to provide for the government of cities of the third class ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Bashaw was reported sick.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 648, entitled An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri, and find the same truly and correctly enrolled ; which was read.

House bill No. 648 ; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 701,

entitled An act concerning the publication of judicial notices in cities having more than 100,000 inhabitants, and find the same truly and correctly enrolled; which was read.

House bill No. 701; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 538, entitled An act for the relief of Julia L. Ivie, and to appropriate money therefor, and find the same truly and correctly enrolled; which was read.

House bill No. 538; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Ragan offered the following resolution:

WHEREAS, The Assistant Messenger of this House has been performing the duties of mail carrier during the entire session in connection with his own duties as Messenger; therefor,

Resolved, That the Committee on Accounts be authorized and instructed to issue the said Assistant Messenger a certificate for the sum of fifty cents per day additional compensation from the date of his appointment until the close of the session; which was read and not agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute in part for Senate bill No. 64, entitled An act to revise and amend title 51, chapter 224 of the General Statutes of the State of Missouri, concerning the construction of statutes and legal phrases, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute in part for Senate bill No. 64; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Gray, Greer, Gwynne, Hayes, Hale, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore,

Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker and Wiley—97.

NOES—Mr. Hynes—1.

ABSENT—Messrs. Ballew, Bashaw, Beckner, Brady, Burford, Carroll, Chitwood, Farr, Foster, Hall, Haynes, Harrigan, Lesueur, Mott, McCormick of St. Louis city, McGarry, Riley, Spring, Taylor, Tevis, Windes, Wisby and Younger—23.

ABSENT WITH LEAVE—Messrs. Berryman, Bryan, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, Harrington, McKinney, Pehle, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—18.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 13th, 1879. }

Hon J. ED. BELCH, Speaker House of Representatives :

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles :

An act authorizing the payment of unpaid salary due Thos. B. English, deceased, late judge of the tenth judicial circuit of Missouri;

An act to appropriate money.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 201, entitled An act to revise and amend an act establishing probate courts, approved April 9, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Substitute for Senate bill No. 201; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold; Ballew, Berry, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Mott, Mudd of St. Louis, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker and Wiley—103.

ABSENT—Messrs. Beckner, Bonham, Brady, Campbell of Atchison, Carroll, Foster, Hall, Harrigan, Larimore, Morrison, McCormick of St. Louis city, Palmer, Powell, Riley, Windes, Wisby and Younger—17.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bryan, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, Harrington, McKinney, Pehle, Rawlings, Souder, Tiernan, Withers and Mr. Speaker—19.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 2 for Senate bill No. 90, entitled An act to revise and amend chapter 24 of the General Statutes, concerning clerks of courts of record, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 for Senate bill No. 90; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Berry, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Freed, Gwynne, Hayes, Hale, Haynes, Harrison, Hubbard, Hynes, Helm, Kendall, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mott, Mudd of

Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Price, Ragan, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt and Wiley—89.

NOES—Messrs. Bonham, Burford, Cowan of Christian, Gray, Greer, Ingram, Johnson, Kneisley, Miles, Powell, Powers and Whitaker—12.

ABSENT—Messrs. Beckner, Brady, Carroll, Chitwood, Cowan of Holt, Dodson, Foster, Hall, Harrigan, Knight, Manistre, Maynard, Morrison, O'Malley, Pepper, Riley, Saunders, Smith of Cedar, Windes, Wisby and Younger—21.

ABSENT WITH LEAVE—Messrs. Berryman, Bryan, Dade, Davis, Dawson, Dilley, Finks, Hammons, Harrington, McKinney, Pehle, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—17.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 6 in part, for Senate bill No. 100, entitled An act relating to city, town and other plats, beg leave to report that they have considered the same, and recommend that it do pass, with accompanying amendment; which was read.

Senate substitute No. 6 in part for Senate bill No. 100; was taken up, with the following amendment recommended by the Joint Committee on Revision:

Amend section 10 by striking out the words "and to the use of," where the same occur between the words "of" and "the," in the eleventh line of said section; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Anderson, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Creager, Craig, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Gray, Greer, Gwynne, Hayes, Hale, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Le-

sueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pollard, Powell, Powers, Price, Ragan, Reynolds, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Warren, Wells, Weygandt and Whitaker—85.

NOES—Mr. Ingram—1.

ABSENT—Messrs. Brady, Burford, Campbell of Atchison, Chilton, Chitwood, Cowan of Christian, Cowan of Holt, Foster, Freed, Hall, Haynes, Harrigan, Johnson, Knight, Mabrey, Manistre, Mott, McCormick of Washington, McCormick of St. Louis city, McGarry, O'Malley, Pepper, Phelan, Riley, Saunders, Smith of Cedar, Smith of St. Louis city, Taylor, Waggener, Wiley, Windes, Wisby and Younger—33.

ABSENT WITH LEAVE—Messrs. Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Dryden, Finks, Harrington, Hammons, McDaniel, McKinney, Pehle, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—20.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The hour of ten o'clock having arrived, the roll of the House was called, and the following members answered to their names:

Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Gray, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Younger—116.

Leave of absence was granted Mr. Carroll on account of sickness in his family.

Mr. Wells, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Substitute for Senate bill No. 285, entitled An act to provide for the filling of vacancies in State and county offices, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 285; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cowan of Holt, Cox, Craig, Creager, Dodson, Drum, Dryden, Ewing, Farr, Hayes, Hale, Lackland, Lesueur, Mackey, Mudd of Lincoln, McCormick of St. Louis city, McDaniel, McIntyre, McKill, Price, Ragan, Settles, Taylor and Weygandt—29.

NOES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Bohannon, Bonham, Booth, Bowman, Brewer, Brown, Burford, Cloud, Coleman, Collins, Cooper, Cowan of Christian, Crow, Crowther, Ellis, Gray, Greer, Gwynne, Hall, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Morrison, Mott, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Turner, Warren and Wells—62.

ABSENT—Messrs. Andrews, Berry, Boulware, Brady, Chilton, Chitwood, Cock, Dale, Diercks, Dougherty, Foster, Freed, Harrigan, Kendall, Kneisley, Knight Maynard, Miles, Moler, O'Malley, Riley, Saunders, Swank, Tevis, Vancleve, Waggener, Whitaker, Wiley, Windes, Wisby and Younger—31.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Finks, Hammons, McKinney, Pehle, Rawlings, Souder, Tiernan, Withers and Mr. Speaker—17.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The following message was received from the Senate by its Assistant Secretary, Mr. Forman:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President of the Senate has appointed as a second Committee of Conference to consider substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter 36 of the General Statutes of Missouri, concerning county buildings and the removal of county

seats, Senators Headlee, Claiborne and Ballingal, to confer with Messrs. Bashaw, Maynard and Wiley; which was read.

The special order being the consideration of House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments; was taken up.

Mr. Louthan moved to reconsider the vote by which the bill was ordered to engrossment and printing; which was agreed to.

Mr. Louthan offered the following amendment:

Amend section 1 by adding thereto the following: "Provided, however, that no such renewal bonds shall be valid or issued until authorized by a majority of the qualified voters, voting at an election held for that purpose after at least ten days' public notice, by advertisement in some paper published in said city or town, setting forth the object of said election; which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Settles, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them, beg leave to report that they have considered the same, and recommend that it do pass, with the amendment herewith submitted; which was read.

House bill No. 690; was taken up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend title to bill by inserting after the word "surveys," in second line, the words "and plats;" which was read and agreed to.

Amendment No. 2—Amend bill by adding after the word "lie," in sixteenth line, the following words: "And also to have said lands properly described by metes and bounds, or otherwise in said plats, and cause said plats to be recorded as above set forth," which was read and agreed to.

On motion, the bill, as amended, was ordered engrossed and printed.

Mr. Hall, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred Senate bill No. 322, entitled An act in relation to the title to the 16th section in certain townships, beg leave to report

that they have considered the same, and recommend that it do pass, with accompanying amendments; which was read.

Senate substitute for Senate bill No. 322; was taken up, with the following amendments recommend by the St. Louis Delegation.

Amendment No. 1—Amend section 2 of printed bill, by striking out "such corporations," in the 4th line, and inserting in lieu thereof, the following: "Three arbitrators, one of whom shall be chosen by such corporation, one by such commissioners, and the third by the two chosen by the parties. Said arbitrators, so selected, shall hear the evidence and award such compensation as they may think such commissioners are justly and equitably entitled to be paid by such corporation; and such award shall be final and binding on all parties;" which was read and agreed to.

Amendment No. 2—Amend section 1 by inserting after the word "commissioners," in 12th line of the printed bill, the following, "for the recovery of the same, or any part thereof, and no contract made with attorneys for the prosecution of such actions or proceedings;" which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Drum, Dryden, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Smith of St. Louis city, Swank, Turner, Waggener, Warren, Wells and Weygandt—84.

ABSENT—Messrs. Adams, Alldridge, Berryman, Brady, Brown, Bryan, Burford, Campbell of Atchison, Chitwood, Cock, Coleman, Cowan of Christian, Dade, Dale, Dawson, Dilley, Dodson, Dougherty, Foster, Freed, Gray, Hayes, Hall, Harrigan, Ingram, Johnson, Knight, Maynard, O'Malley, Organ, Phelan, Riley, Settles, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Tiernan, Vancleve, Whitaker, Wiley, Windes, Wisby and Younger—45.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Hammons, McDaniel, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—10.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. Manistre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Senate joint and concurrent resolution, entitled Senate joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to vote for and support, by all honorable influence, the bills now pending before Congress for the repeal of the Federal election laws of May 31, 1870, and acts amendatory of February 28, 1871, and June 10, 1872, known as the Federal Supervisors Election Laws, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate joint and concurrent resolution No. 20; was taken up.

Mr. Lockhart moved to lay the resolution on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail, by the following vote:

AYES—Messrs. Bonham, Cooper, Crowther, Ingram, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis and Smith of Cedar—11.

NOES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes, Wisby and Younger—107.

ABSENT—Messrs. Andrews, Brady, Bryan, Dade, Foster, Freed, Gray, Harrigan, Johnson, O'Malley, Riley, Settles and Tevis—13.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—8.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The resolution was then read the third time and passed by the following vote :

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrison, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Windes, Wisby and Younger—101.

NOES—Messrs. Bonham, Cooper, Crowther, Harrington, Knight, Lockhart, Manistre, Maynard, Morrison, Mott, Mudd of St. Louis and Smith of Cedar—12.

ABSENT—Messrs. Adams, Bryan, Dade, Foster, Freed, Hall, Harrigan, Hubbard, Ingram, Johnson, O'Malley, Pepper, Phelan, Powell, Riley, Settles, Tevis, and Wiley—18.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—8.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the resolution was then read and agreed to.

Mr. Collins moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 692, entitled An act to amend an act entitled an act to amend section thirty-seven (37) of an act approved March 26, 1874, entitled an act to reorganize and provide for the support of public schools, and to revise

and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870, and find the same truly and correctly engrossed, and that the printed copies furnished the members are correct ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri of 1865, and find the same truly and correctly engrossed ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865, and find the same truly and correctly engrossed ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 710, entitled An act to amend section 60 of an act entitled an act to provide for the organization and government of the Missouri militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act, approved May 6, 1879, and find the same truly and correctly engrossed ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 23, entitled An act to provide for the non-forfeiture of life insurance and endowment policies, and find the same truly and correctly engrossed, and that the printed copies furnished the members are correct ; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 711, entitled An act supplemental and amendatory of an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other

matters, approved May 10, 1879, by amending the third section of said act, and find the same truly and correctly engrossed, and that the printed copies furnished the members are correct; which was read.

House bill No. 711, entitled An act supplemental to and amendatory of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and other matters, approved May 10, 1879; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Coleman, Collins, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Gwynne, Hayes, Hale, Haynes, Harrison, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pollard, Powell, Price, Ragan, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Younger—92.

ABSENT—Messrs. Adams, Bowman, Brady, Bryan, Burford, Chilton, Chitwood, Cock, Cook, Cowan of Holt, Dade, Davis, Dawson, Farr, Foster, Freed, Gray, Hall, Harrigan, Harrington, Hubbard, Hynes, Ingram, Johnson, Kendall, Manistre, Maynard, Moler, O'Malley, Pepper, Phelan, Powers, Riley, Saunders, Settles, Smith of Cedar, Tevis, Wiley and Windes—39.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—8.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the resolution was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

On motion of Mr. McIntyre, Senate substitute for Senate bill No. 103 was made the special order for this afternoon at 2½ o'clock.

House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Bowman, Brady, Brewer, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gray, Greer, Gwynne, Hayes, Harrison, Hubbard, Hynes, Helm, Ingram, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powell, Powers, Price, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Wisby and Younger—98.

NOES—Mr. Lackland—1.

ABSENT—Messrs. Beckner, Boulware, Bryan, Burford, Chenoweth, Chilton, Chitwood, Coleman, Dade, Davis, Foster, Freed, Hall, Hale, Haynes, Harrigan, Harrington, Johnson, Kendall, Kneisley, Miles, Morrison, McCormick of Washington, Ragan, Riley, Saunders, Settles, Tiernan, Vancleve and Windes—30.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Hammons, McIntyre, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—10.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri of 1865; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Ingram, Johnson, Kendall, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, Mc-

Elvain, McGarry, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Powers, Price, Ragan, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley and Wisby—100.

NOES—Messrs. Hynes and Lackland—2.

ABSENT—Messrs. Brady, Bryan, Chenoweth, Dade, Davis, Dawson, Farr, Foster, Freed, Haynes, Harrigan, Helm, Manistre, Miles, McKill, O'Malley, Pepper, Pollard, Powell, Riley, Saunders, Settles, Tiernan, Wells, Windes and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Hammons, McDaniel, McIntyre, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—11.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. Mott moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 710, entitled An act to amend section 60 of an act entitled an act to provide for the organization and government of the Missouri Militia, and to revise and amend the laws in relation thereto, and to repeal all acts and parts of acts inconsistent with this act, approved May 6, 1879; was called up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Arnold, Berry, Berryman, Bonham, Booth, Bowman, Brady, Brewer, Brown, Campbell of Atchison, Carleton, Chenoweth, Cloud, Cock, Collins, Cooper, Cowan of Holt, Cox, Craig, Crow, Davis, Dilley, Dougherty, Drum, Dryden, Finks, Gwynne, Hayes, Hubbard, Helm, Kendall, Lesueur, Mahn, Morrison, Mott, Mudd of Lincoln, McGarry, McIntyre, O'Malley, Organ, Palmer, Phelan, Powers, Ragan, Saunders, Smith of St. Louis city, Taylor, Turner, Vancleve, Weygandt, Wiley and Wisby—52.

NOES—Messrs. Adams, Alldridge, Andrews, Ballew, Beckner, Bohannon, Boulware, Burford, Chilton, Chitwood, Coleman, Cook, Cowan of Christian, Creager, Crowther, Dale, Diercks, Dodson, Ellis, Ewing, Gray, Greer, Haynes, Harrington, Harrison, Hynes, Ingram, Kneisley, Lackland, Larimore, Lockhart, Louthan, Mabrey, Mackey, McCormick of Washington, McElvain, McKill, Patterson of Linn, Pepper, Pollard, Powell, Price, Reynolds, Smith of Cedar, Spring, Swank, Talbot, Tevis, Waggener, Warren, Wells, Whitaker and Younger—53

ABSENT—Messrs. Bryan, Campbell of St. Louis city, Dade, Dawson, Farr, Foster, Freed, Hall, Hale, Harrigan, Johnson, Knight, Lynn,

Manistre, Maynard, Miles, Moler, Mudd of St. Louis, McCormick of St. Louis city, Patterson of Schuyler, Riley, Settles, Tiernan and Windes—24.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Hammons, McDaniel, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—10.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

Senate substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 96 of the General Statutes of the State of Missouri, concerning peddlers and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate substitute No. 9 for Senate bill No. 82, entitled An act to revise and amend an act entitled an act of merchants and their licenses; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 302, entitled An act fixing the liability of common carriers receiving property for transportation; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Senate substitute for Senate bill No. 325, entitled An act to revise and amend an act to establish a court of common pleas in the city of Cape Girardeau, approved February 22, 1851; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 205, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was called up, read the second time, and, on motion, referred to the Committee on Criminal Jurisprudence.

Senate substitute for Senate bill No. 259, entitled An act to create and perpetuate free public school funds for the several counties of this State; was called up, read the second time, and, on motion, referred to the Committee on Education.

Senate substitute No. 2 in part for Senate bill No. 69, entitled An act to provide for the incorporation of mutual saving fund, loan and building associations; was called up, read the second time, and, on motion, referred to the Committee on Banks and Corporations.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 545, entitled An act to authorize counties which

adopted the township organization law, when the same was in force, to provide for the payment of the debts of such townships as left debts unpaid, when said law was repealed, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House bill No. 545; was taken up, and, on motion, ordered engrossed and printed.

House concurrent resolution No. 64, entitled Concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their influence immediately for the peaceable entry and settlement of the lands in the Indian Territory belonging to the government of the United States; was called up, read the second time, and, on motion, referred to the Committee on Federal Relations.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred Senate substitute for that part of Senate bill No. 700, contained in chapter 63, 64, 65 and 66 of the General Statutes of Missouri, entitled "An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations, beg leave to report that they have considered the same, and recommend that it do pass, with the following amendments; which was read.

Senate substitute for that part of Senate bill No. 70, contained in chapters Nos. 63, 64, 65 and 66 of the General Statutes of Missouri; was taken up with the amendments recommended by the Committee on Internal Improvements.

On motion, the further consideration of the bill and amendments was postponed and made the special order for this afternoon at 3 o'clock.

On motion of Mr. Price, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired, the House was called to order.

Speaker *pro tem.* Campbell in the chair.

The following message was received from the Senate through its Assistant Secretary, Mr. Forman:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

Resolved, That the Senate request the House to return to the Senate, House bill No. 586, in order that the bill may be perfected in accordance with the amendment of the Senate; which was read.

On motion of Mr. Cowan of Holt, House bill No. 586 was ordered returned to the Senate in compliance with request.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred Substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2 of the General Statutes of Missouri, concerning popular elections, beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendments; which was read.

Senate substitute No. 1 for Senate bill No. 75; was taken up with the following amendments recommended by the Committee on Elections:

Amendment No. 1—Amend section 23 by inserting the word "ballots" between the word "the," in the first line, and the word "shall," in the second line of the engrossed bill (written); which was read and agreed to.

Amendment No. 2—Amend section 32 by inserting the words "railroad commissioners" after the words "attorney-general" and before the word "and;" which was read and agreed to.

Amendment No. 3—Amend section 35 by inserting the words "railroad commissioners" after the words "attorney-general" and before the word "and;" which was read and agreed to.

Amendment No. 4—Amend section 39 by inserting the words "railroad commissioners" after the words "attorney-general" and the word "and;" which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Ballew, Bashaw, Berry, Berryman, Booth, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hayes, Haynes, Harrington, Hynes, Helm, Ingram, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McKill, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Pollard, Powers, Price, Reynolds, Settles, Smith of Cedar,

Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Younger—84.

ABSENT—Messrs. Alldridge, Andrews, Arnold, Beckner, Bohannon, Bonham, Boulware, Bowman, Brady, Brown, Burford, Chenoweth, Collins, Creager, Dade, Dale, Davis, Dawson, Foster, Freed, Gray, Hall, Hale, Harrigan, Harrison, Hubbard, Johnson, Kendall, Lackland, Larimore, Manistre, Miles, Moler, McGarry, Organ, Phelan, Powell, Ragan, Riley, Saunders, Swank, Tevis, Wiley and Windes—44.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dryden, Hammons, McDaniel, McIntyre, McKinney, Pehle, Rawlings, Souder, Withers and Mr. Speaker—12.

SICK—Messrs. Burrows, Ham, and Pollock—3.

The title of the bill was read and agreed to.

Mr. Cowan of Holt moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bill No. 553, entitled An act to classify the railroads of this State, as well as the commodities they transport, to regulate and prescribe the tariff of charges thereon, to establish maximum passenger fare, and to repeal an act entitled an act to regulate the charges of railroad companies and to provide for the appointment of railroad commissioners, and to prescribe their powers and duties, approved March 29, 1875, and to repeal all other conflicting acts or parts of acts, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

House bill No. 553; was taken up, with the following amendments, recommended by the Committee on Internal Improvements:

Amendment No. 1—Amend printed bill by striking out section 1 and inserting in lieu thereof the following:

Section 1. There are hereby established, for the railroads in the State of Missouri, five classes, to be known as classes A, B, C, D and E. Class A is to include all railroads in this State whose gross annual earnings are six thousand dollars per mile, or over. Class B is to include all railroads in this State whose gross annual earnings are four thousand dollars per mile, and under six thousand dollars per mile. Class C is to include all railroads in this State whose gross annual earnings are two thousand dollars per mile, and under four thousand dollars per mile. Class D is to include all railroads in this State

whose gross annual earnings are one thousand dollars per mile, and under two thousand dollars per mile. Class E is to include all railroads in this State whose gross annual earnings are less than one thousand dollars per mile. And it shall be the duty of the railroad commissioners provided for in the act of which this act is amendatory, to ascertain and declare to which of these classes each and every railroad, and branch of every railroad in this State, belongs, under the foregoing limitations. And the classification of said railroads shall be ascertained and declared by the said commissioners as soon as is practicable after this act shall take effect, the said classification to be based upon the gross earnings of such railroads for the year ending December 31, 1878. And during the first week in July, 1880, and during the first week in July in each and every year thereafter, the classification of said railroads shall be ascertained and declared by said commissioners, the classification to be based upon the gross earnings of such railroads for the preceding year, ending on the 31st day of December of each year. And until the time herein mentioned for the classifying of said railroads, they are hereby required to be operated as now classified: Provided, that all railroads uncompleted and under process of construction, in this State, shall be classified from time to time as they may progress, and upon a basis of their receipts for three months prior to the time of such classification; which was read.

Mr. Taylor moved to lay the amendment on the table; which was not agreed to.

The question recurring upon agreeing to the amendment, it was agreed to.

Amendment No. 2—Amend section 2, in line 14 of printed bill, by striking out the word “shall” and inserting the word “may;” which was read and not agreed to.

Mr. Lesueur moved to reconsider the vote by which the amendment was not agreed to.

Mr. Taylor moved to lay the motion to reconsider on the table; which was not agreed to.

The question recurring upon reconsidering the vote by which the amendment was not agreed to, it was agreed to.

The question being upon agreeing to the amendment, it was agreed to.

Amendment No. 3—Amend section 2 of printed bill by inserting after the word “miles,” in line 38, the words “and on all roads in class E the rate shall not exceed five cents per mile;” which was read and agreed to.

Amendment No. 4—Amend section 2 by adding the following: “Provided that railroad companies may collect from passengers entering the cars without tickets, at stations where tickets are kept for sale, a penalty in addition to the rates as before mentioned, not exceeding ten cents for any distance not exceeding one hundred miles, and twenty-five cents for all distances exceeding one hundred miles, for each fare collected on the cars;” which was read and laid on the table.

Mr. Carleton, from the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER: Your Committee on Swamp Lands, to whom was referred substitute for Senate bill No. 88, entitled An act to revise and amend title 17, chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands, beg leave to report that they have considered the same, and recommend that it be read the third time and put upon its passage; which was read.

Senate substitute for Senate bill No. 88; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Ballew, Bashaw, Berry, Berryman, Booth, Boulware, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Greer, Gwynne, Hayes, Haynes, Harrington, Harrison, Hynes, Helm, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Maynard, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Turner, Waggener, Warren, Wells, Weygandt, Wisby and Younger—85.

NOES—Messrs. Alldridge, Beckner, Bonham and Louthan—4.

ABSENT—Messrs. Andrews, Arnold, Bohannon, Bowman, Brady, Burford, Campbell of Atchison, Chilton, Collins, Cowan of Christian, Dade, Dale, Davis, Dilley, Foster, Freed, Gray, Hall, Hale, Harrigan, Hubbard, Ingram, Johnson, Kendall, Larimore, Manistre, Miles, Moler, Morrison, Mott, Organ, Powell, Ragan, Riley, Saunders, Smith of Cedar, Tevis, Tiernan, Vancleve, Whitaker, Wiley and Windes—42.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McDaniel, McKinney, Pepper, Rawlings, Souder, Withers and Mr. Speaker—9.

SICK—Messrs Burrows, Ham and Pollock—3.

The title of the bill was read and agreed to.

Mr. Carleton moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of Senate substitute for Senate bill No. 70, entitled An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations; was taken up, with the following amendments recommended by the Committee on Internal Improvements:

Amendment No. 1—Amend printed bill by striking out section 61; which was read and agreed to.

Amendment No. 2—Amend section 87 by inserting after the word "indictment," in line 9, the words "or information;" which was read and agreed to.

Amendment No. 3—Amend section 27 by inserting after the word "consolidated," in line 10, the words "in the manner provided in the preceding section," and by adding the letter "s" to the word "railroad," in the same line; which was read and agreed to.

Amendment No. 4—Amend section 26 by striking out the word "law," in line 57 of printed bill, and adding after the word "by," in the 56th line, the words "advertisement in some newspaper printed in the county where the general offices of said company or companies of this State are situated;" which was read and agreed to.

Amendment No. 5—Amend section 107 by inserting after the word "State," in line 2 of printed bill, the words "shall be liable for special;" which was read and agreed to.

Mr. Farr offered the following amendment:

Amend section 44 by striking out the word "and," in line 5 of printed bill, and inserting in lieu thereof the word "or," and by striking out the word "also," in the same line; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cowan of Holt, Cox, Craig, Creager, Crowther, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Gwynne, Hayes, Hale, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott,

Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, O'Malley, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Ragan, Reynolds, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Weygandt and Wisby—84.

NOES—Messrs. Adams, Alldridge, Beckner, Cooper, Cowan of Christian, Ingram, McKill, Pollard, Powell, Warren and Wells—11.

ABSENT—Messrs. Andrews, Booth, Bowman, Brady, Burford, Carleton, Collins, Crow, Dade, Dale, Davis, Dawson, Dodson, Farr, Foster, Freed, Gray, Hall, Haynes, Harrigan, Johnson, Kendall, Larimore, Miles, Moler, Morrison, Organ, Pepper, Riley, Saunders, Smith of Cedar, Spring, Tevis, Whitaker, Wiley, Windes and Younger—37.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Rawlings, Souder, Withers and Mr. Speaker—7.

SICK—Messrs. Bashaw, Burrows, Ham and Pollock—4.

The title of the bill was read and agreed to.

Mr. Wisby moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 52, proposing to submit to a vote of the people an amendment to section 44 of article 4 of the Constitution of this State, giving the General Assembly power to provide for the issue and sale of non-taxable renewal State bonds, of denominations of 50, 100, 500 and 1,000 dollars, bearing interest at 4 per cent. per annum, to redeem maturing State bonds, beg leave to report that they have considered the same, and have adopted amendments numbered 1 and 2 thereto and herewith submitted, and your Committee recommend that said resolution, as amended, be adopted; which was read.

House concurrent resolution No. 52; was taken up, with the following amendments recommended by the Committee on Constitutional Amendments.

Amendment No. 1—Amend by striking out the word “the” in the twenty-third line, and inserting in lieu thereof the word “a.” Also, by striking out the word “of” in said line, and inserting in lieu thereof the words “not exceeding;” which was read and agreed to.

Amendment No. 2—Amend by adding the words “and one-half” after the word “four” in said line twenty-three ; which was read and agreed to.

Mr. Dryden offered the following amendment :

Amend by striking out the words, “the denominations of fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars,” and inserting in lieu thereof the words : “such denominations as the Legislature may deem fit ;” which was read and agreed to.

The question being upon the adoption of the resolution as amended, the roll was called, and the resolution was not adopted by the following vote :

AYES—Messrs. Alldridge, Ballew, Bohannon, Bonham, Campbell of St. Louis city, Carleton, Chilton, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crowther, Dale, Dawson, Diercks, Dodson, Dryden, Ewing, Freed, Hayes, Harrington, Harrison, Kendall, Lackland, Larimore, Lockhart, Lynn, Mabrey, Mackey, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, Organ, Palmer, Pehle, Phelan, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Wells and Wisby—51.

NOES—Messrs. Adams, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Booth, Boulware, Bowman, Brewer, Brown, Campbell of Atchison, Chenoweth, Chitwood, Cloud, Cock, Coleman, Collins, Cowan of Christian, Crow, Davis, Dilley, Dougherty, Drum, Ellis, Farr, Finks, Greer, Gwynne, Hale, Haynes, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Knight, Lesueur, Louthan, Mahn, Moler, McDaniel, McElvain, McGarry, McIntyre, McKill, Patterson of Linn, Patterson of Schuyler, Pepper, Pollard, Powell, Powers, Price, Ragan, Spring, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley and Younger—69.

ABSENT—Messrs. Brady, Bryan, Burford, Dade, Foster, Gray, Hall, Harrigan, Miles, O'Malley, Riley, Saunders and Windes—13.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Rawlings, Souder, Withers and Mr. Speaker—7.

SICK—Messrs. Burrows, Ham and Pollock—3.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and refused to concur in House amendments Nos. 1, 2, 3, 4, 5, 6, 7 and 8 to substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of Missouri, concerning attorney-general

and prosecuting attorneys, and respectfully requests the House to recede therefrom ; which was read.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for Senate bills Nos. 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies, in which the House is requested to concur ; which was read.

Leave of absence was granted the Committee on Ways and Means for the afternoon.

The following message was received from the Senate, through its Assistant Secretary, Mr. Forman :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, substitute for Senate bill No. 262, entitled An act to establish a bureau of labor statistics, in which the concurrence of the House is respectfully requested ; which was read.

Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 142, and in part for No. 100, entitled An act for the government of cities of the fourth class ; was taken up, with House amendment No. 1 thereto, in which the Senate refused to concur.

Mr. Cook moved that the House insist on its amendment No. 1, and that a Committee of Conference be appointed thereon ; which was agreed to.

The Speaker *pro tem* appointed as said Committee, on the part of the House, Messrs. Alldridge, Bashaw and Crowther.

Senate substitute for substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of the State of Missouri, concerning attorney-general and prosecuting attorneys ; was taken up, with House amendments Nos. 1, 2, 3, 4, 5, 6 and 7 thereto, in which the Senate refused to concur.

Mr. McIntyre moved that the House insist upon its amendments, and that a Committee of Conference be appointed thereon ; which was agreed to.

The Speaker *pro tem* appointed as said committee, on the part of the House, Messrs. McCormick of St. Louis city, McIntyre and Arnold.

House bill No. 660, entitled An act to provide for obtaining certain statistical information, and the publication of the same ; was taken up, with the following Senate amendment thereto (said amendment having been printed):

Amend by striking out section 3 of the bill ; which was read.

The question being upon concurring in the amendment, the roll was called, and the amendment was concurred in by the following vote :

AYES—Messrs. Adams, Anderson, Arnold, Ballew, Bashaw, Berry, Booth, Boulware, Bowman, Brewer, Brown, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Greer, Gwynne, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Helm, Kneisley, Lackland, Larimore, Lesueur, Louthan, Mackey, Mahn, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wiley—84.

NOES—Messrs. Beckner, Ingram, Johnson and Powell—4.

ABSENT—Messrs. Alldridge, Andrews, Bohannon, Bonham, Brady, Burford, Campbell of Atchison, Carleton, Chitwood, Coleman, Cowan of Christain, Foster, Gray, Haynes, Harrigan, Hynes, Kendall, Knight, Lockhart, Lynn, Mabrey, Manistre, Miles, Moler, Morrison, O'Malley, Pehle, Pepper, Riley, Taylor, Vancleve, Windes, Wisby and Younger—34.

ABSENT WITH LEAVE—Messrs. Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, McDaniel, McKinney, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—18.

SICK—Messrs. Burrows, Ham and Pollock—3.

Senate substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor; was taken up, with the House amendment thereto, in which the Senate refused to concur.

Mr. Wells moved that the House insist upon its amendment, and that a committee of conference be appointed thereon; which was agreed to.

The Speaker *pro tem.* appointed as said committee on the part of the House, Messrs. Wells, Finks and Bryan.

Substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State; was taken up, with the following Senate amendment thereto, (said amendment having been printed.)

Amend by striking out all of section 12 and inserting the following in lieu thereof:

Section 12. Each inspector shall be entitled to demand and receive from the owner or person calling upon him to inspect, or for whom he shall make any inspection, fees at the following rates: For inspecting or testing, guaging and branding said oils or fluids under this act, to-wit: For each barrel or larger package the sum of twelve (12) cents; for each small package the sum of six (6) cents, and when an inspection in bulk is made, in the manner provided in section five (5) of this act, the sum of twelve (12) cents for each barrel or other package filled, guaged and branded according to the provisions of said section; which was read.

Mr. Wells moved that the House disagree to the amendment; which was agreed to.

House bill No. 424, entitled An act to establish a Board of Immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri and all acts amendatory thereto; was taken up, with Senate amendments Nos. 1, 2, 3, 4 and 5 thereto, (said amendments having been printed.)

Amendment No. 1—Amend by striking out section 3 and insert the following in lieu thereof:

Section 3. One of the commissioners shall be president of the board, under the title of State Superintendent of Immigration, and shall be so designated in his appointment, and the two commissioners shall only draw pay for their actual expenses in attending the meetings of the board. Said board of commissioners shall procure and keep open during business hours, in such place as the board of commissioners may select, a good and sufficient office for the use of said board, and for the safe keeping and exhibition of such specimens of the agricultural, horticultural, mineral and other material resources of the State as may be found necessary; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Diercks, Dougherty, Drum, Farr, Gwynne, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Helm, Kendall, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Wells, Weygandt, Whitaker and Wiley—82.

NOES—Messrs. Bowman, Brown, Cowan of Christian, Ellis, Greer, Hale, Hynes, Kneisley, McCormick of Washington, Swank, Vancleve and Waggener—12.

ABSENT—Messrs. Brady, Burford, Chitwood, Coleman, Creager, Dodson, Ewing, Foster, Freed, Gray, Harrigan, Ingram, Johnson, Knight, Lackland, Larimore, Maynard, Miles, Moler, O'Malley, Pepper, Riley, Saunders, Windes, Wisby, Warren and Younger—27.

ABSENT WITH LEAVE—Messrs. Andrews, Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, McDaniel, McKinney, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—19.

SICK—Messrs. Burrows, Ham, and Pollock—3.

Amendment No. 2—Amend by striking out section 6 and insert the following:

Section 6. The State Superintendent of Immigration shall receive in regular quarterly payments a salary of eighteen hundred dollars per annum from the date of his qualification, in full compensation for himself and deputy. All bills shall be filed with the Auditor and countersigned by the secretary of the board, and shall be paid by the warrant of the State Auditor, drawn on the State Treasurer, in favor of the parties to whom such accounts shall be certified as due; and after the appropriation for any one year has been exhausted, there shall not be expended for that year any more money, nor shall any debts or obligations be incurred by the board; which was read and concurred in by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrison, Hynes, Helm, Johnson, Kendall, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley and Wisby—89.

NOES—Messrs. Brown, Ingram, Kneisley, Powell and Price—5.

ABSENT—Messrs. Adams, Brady, Burford, Campbell of Atchison, Carleton, Chitwood, Coleman, Cowan of Christian, Foster, Gray, Harrigan, Harrington, Hubbard, Knight, Larimore, Maynard, Miles, Moler, Mudd of St. Louis, McCormick of Washington, McCormick of

St. Louis city, O'Malley, Pepper, Riley, Warren, Windes and Younger—27.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, McDaniel, McKinney, Rawlings, Settles, Souder, Tiernan, Withers, and Mr. Speaker—19.

SICK—Messrs. Burrows, Ham and Pollock—3.

Amendment No. 2—Amend by striking out section 7 and insert the following in lieu thereof:

Section 7. It shall be the duty of the Commissioners of Immigration to use such means as may be at their disposal to properly represent the advantages afforded by Missouri to persons desiring to secure homes in the west, and they may employ such agents for the like purpose as may be necessary. The board may contract for and may advertise in one or more papers or magazines published in Europe, and also, in at least one agricultural paper or other journal published in the eastern or middle States of this country; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Campbell of St. Louis city, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Freed, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Hynes, Helm, Johnson, Kendall, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Wells, Weygandt, Whitaker, Wiley and Wisby—86.

NOES—Messrs. Brown, Cowan of Christian, Harrison, Ingram, Kneisley, Mudd of St. Louis, Powell, Price and Reynolds—9.

ABSENT—Messrs. Beckner, Brady, Burford, Campbell of Atchison, Carleton, Chenoweth, Chitwood, Coleman, Foster, Gray, Harrigan, Hubbard, Knight, Lackland, Larimore, Maynard, Miles, Moler, McCormick of Washington, O'Malley, Pepper, Pollock, Riley, Warren, Windes and Younger—26.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bryan, Carroll, Dade, Davis, Dawson, Dilley, Dryden, Finks, Hammons, Harrington, McDaniel, McKinney, Rawlings, Settles, Souder, Tiernan, Withers and Mr. Speaker—20.

SICK—Messrs. Burrows and Ham—2.

Amendment No. 4—Amend by striking out section 10 and insert the following in lieu thereof:

"Section 10. It shall be the duty of the several faculties of the Normal Schools, School of Mines, and Agricultural College, to preserve and forward to the office of the board of immigration, such information relating to the several subjects taught in or promoted by said institutions, as will show the agricultural, mineral, manufacturing and educational advantages of the State. And said board of immigration is hereby authorized to call upon the clerks of the county courts or other county officers of the several counties of this State, for such statistical, historical or other information as said board may deem desirable;" which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dodson, Dougherty, Drum, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Johnson, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Palmer, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley and Wisby—94.

NOES—Messrs. Ingram, Harrison, Kneisley, Mudd of St. Louis and Powell—5.

ABSENT—Messrs. Brady, Brown, Burford, Carleton, Chitwood, Coleman, Ellis, Foster, Gray, Harrigan, Hubbard, Hynes, Helm, Kendall, Knight, Larimore, Maynard, Miles, Moler, McCormick of Washington, O'Malley, Organ, Price, Riley, Wells, Windes and Younger—27.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Dawson, Dilley, Dryden, Hammons, McDaniel, McKinney, Rawlings, Settles, Souder, Withers and Mr. Speaker—14.

SICK—Messrs. Burrows, Ham and Pollock—3.

Amend No. 5—Amend by adding a new section to be known as section 16, to read as follows:

"Section 16. There being no adequate law for the organization of a board of immigration, and in consequence of the immediate necessity for the appointment of commissioners and organization of the board under the provisions of this law, an emergency has arisen with-

in the meaning of the constitution, requiring this act to go into effect as soon as practicable; therefore, it shall take effect and be in force from and after its passage;" which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Hynes, Helm, Johnson, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley and Wisby—98.

NOES—Messrs. Brown, Cowan of Christian, Harrison, Kendall, Kneisley, Mudd of St. Louis, Palmer, Powell, Price and Wells—10.

ABSENT—Messrs. Ballew, Brady, Burford, Carleton, Chitwood, Coleman, Dade, Dawson, Foster, Gray, Harrigan, Hubbard, Ingram, Knight, Larimore, Maynard, Miles, Moler, O'Malley, Riley, Settles, Windes and Younger—23.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dryden, Hammons, McKinney, Rawlings, Souder, Withers and Mr. Speaker—9.

SICK—Messrs. Burrows, Ham and Pollock—3.

Senate substitute for Senate bill No. 262, entitled An act to establish a bureau of labor statistics; was called up and read the first time.

Senate substitute for Senate bills Nos. 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies; was called up, and read the first time.

Senate substitute for substitute No. 15 for Senate bill No. 82, entitled An act to amend an act entitled an act to regulate and provide for the inspection of tobacco, approved March 2d, 1871, by striking out section 3 and inserting a new section in lieu thereof; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 3 for Senate bill No. 90, entitled An act to amend chapter 17 of the General Statutes of Missouri, entitled of Sec-

retary of State, by striking out section 3, and by inserting a new section in lieu thereof; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No 3 in part for Senate bill No. 100, entitled An act to amend and revise the act entitled an act for the classification of cities and towns; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the use of the State fund; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 308, entitled An act to revise and amend chapter 132, entitled of escheats, of title 32 of the General Statutes; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. McIntyre moved that Senate substitute for Senate bill No. 103, be made special order for Wednesday, May 14th, at 9½ o'clock A. M.; which was agreed to.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND FIFTH DAY—WEDNESDAY, May 14, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Campbell in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Cook, the further reading was dispensed with.

Mr. Bonham offered the following resolution:

WHEREAS, About four weeks ago a resolution passed this House, giving power to the Committee on Penitentiary to investigate the general management and control and financial disbursements of public moneys, and all things pertaining to the general expenditures

of the public moneys by the Warden of the Penitentiary, and to that end the power was given to said committee to send for witnesses, and examine papers, etc.; and,

WHEREAS, Said committee has not made said investigation as contemplated by said resolution; therefore, be it

Resolved, That the chairman of said committee report to this House the reasons why he has not made said investigation; which was read.

On motion of Mr. Bashaw, the further consideration of the resolution was postponed until to-morrow.

Mr. Bryan offered the following resolution:

Resolved, That the chairman and the acting chairman of the Committee on Enrolled Bills have permission to be absent during the sitting of the House, for the purpose of examining enrolled bill; which was read and adopted.

Mr. Farr offered the following resolution:

Resolved, That the Warden of the Penitentiary be and is hereby instructed to furnish the Commissioner of Permanent Seat of Government with such number of convicts, and at such times as shall be designated by said commissioner, and that the same be employed under the supervision of the commissioner in keeping the Capitol grounds and building clean; which was read and adopted.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 103, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate bill No. 103, having been made the special order for this hour, was taken up with the following amendments, recommended by the Committee on Judiciary:

Amendment No. 1—Amend section 36 of printed bill, by striking out the words "or has absented himself from the State for the space of four months," in the third and fourth lines of said section; which was read and not agreed to.

Amendment No. 2—Amend section 192, printed bill, by striking out the word "said," in the first line thereof, and inserting in lieu thereof the word "probate;" which was read and agreed to.

Amendment No. 3—Amend section 224 by inserting the word "he" between the word "and" and the word "shall," in the fifth line

of said section of the printed bill, and by striking out the words "shall cause the same to be published for three weeks in some newspaper published in the county, if there be one, the costs of which to be paid by as provided by law, for the publication of the docket in cases of the settlements of guardians and curators, and if there be no such paper published in the county, the clerk shall," where they occur in said section between the words "and," in the sixth line, and the word "post," in the twelfth line of said section, in the printed bill; which was read and not agreed to.

Amendment No. 4—Amend section 303 of printed bill, by inserting after the word "State," in the first line, the words "and the city of St. Louis;" which was read and agreed to.

Mr. Dawson offered the following amendment:

Amend section 201, printed bill, by striking out said section, and inserting in lieu thereof the following: Section 201. At the term of court next following that at which any demand may be presented for allowance, the court shall hear and determine the same in a summary way, without the form of pleading, and shall take the evidence of competent witnesses, or other legal evidence;" which was read and not agreed to.

Mr. Booth offered the following amendment:

Strike out section 229, and insert in place thereof the following: Section 229. In all settlements of executors or administrators the court shall settle the same according to law, allow all disbursements and appropriations made by order of the court, and all reasonable charges for funeral expenses, leasing real estate, legal advice and service, and preserving the estate; and as full compensation for their services and trouble, a commission of five per cent. on personal property and on money arising from the sale of real estate. Executors and administrators whose letters are revoked, or who die, and administrators *pendente lite* shall receive such compensation, not greater than above allowed, as the probate court may deem just and proper; which was read.

Mr. Mudd of St. Louis offered the following amendment to the amendment:

Amend amendment by adding after the words "per cent.," in line 14, the words "on the first four thousand dollars, and on all additional sums two and a half per cent.;" which was read and agreed to.

The question recurring upon agreeing to the amendment, it was agreed to.

Mr. Louthan offered the following amendment:

Amend section 238 by adding thereto the following words: "And in all cases of administration by a surviving partner he shall serve

upon the administrator of the deceased partner, if residing within this State, a written notice of his intention to make such final settlement at least ten days before the term of the court at which said final settlement is proposed to be made; which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote :

AYES—Messrs. Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Greer, Hayes, Haynes, Harrington, Hubbard, Hynes, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Linn, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wiley, Windes and Younger—98.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bonham, Gray, Harrison, Ingram, Johnson, Knight, Mudd of St. Louis, Pehle and Powell—13.

ABSENT—Messrs. Brady, Chitwood, Collins, Dade, Davis, Foster, Gwynne, Hall, Hale, Harrigan, Maynard, McCormick of St. Louis city, O'Malley, Riley, Saunders, Smith of Cedar, Swank, Vancleve, Whitaker, Wisby and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Freed, Hammons, McKinney, Rawlings, Souder, and Withers—8.

SICK—Messrs. Burrows, Ham and Pollock—3.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in all of House amendments (17 in number) to substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri;

Also, that the Senate has concurred in House amendments to substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, entitled of wills, of title 32, General Statutes of Missouri;

Also, that the Senate has concurred in all of House amendments to substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of title 32 of the General Statutes of Missouri;

Also, that the Senate has concurred in House amendments to substitute No. 2 for Senate bill No. 75, entitled An act to revise and amend chapter 3, title 2 of the General Statutes, concerning congressional districts and elections, and the election of electors of President and Vice-President;

Also, that the Senate has concurred in House amendments to substitute for Senate bills Nos. 209 and 70, entitled An act to revise and amend chapter 62, General Statutes, concerning private corporations, their general powers and liabilities;

Also, that the Senate has taken up and concurred in House amendments to Senate substitute for Senate bills Nos. 245, 152, 275, 317 and 89, and House bill No. 155, entitled An act to revise and amend the general law in relation to roads and highways, providing for the establishing, opening, repairing and vacating the same.

I also return to the House, House bill No. 586, with Senate amendment corrected in accordance with the Senate Journal.

I am also instructed by the Senate to inform the House that there has been introduced into, and passed the Senate, Senate bill No. 364, entitled An act to repeal an act entitled an act in relation to change of venue from the criminal court of St. Louis county, approved Dec. 11, 1855;

Also, Senate bill No. 365, entitled An act to repeal sections 15, 16, and 17 of an act entitled an act to establish a criminal court in St. Louis, approved Nov. 29, 1855;

Also, Senate bill No. 368, entitled An act to regulate the examination and approval of official bonds, and to provide for the bringing and prosecuting of suits thereon, and adopted the emergency clause thereto;

Also, substitute for Senate bill No. 85, entitled An act to revise and amend title 6, chapter 14 of the General Statutes, entitled of the State interest fund and the State sinking fund.

In which the concurrence of the House is respectfully requested; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments, and find the same truly and correctly engrossed, and the printed copy correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 545, entitled An act to authorize counties which adopted the township organization law, when the same was in force, to provide for the payment of the debts of such townships as left debts unpaid when said law was repealed, and find the same truly and correctly engrossed, and the printed copy correct; which was read.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER: Your Committee on Engrossed Bills would respectfully report that they have carefully examined House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys and plats to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them, and find the same truly and correctly engrossed, and the printed copy furnished members correct; which was read.

Mr. Wells offered the following resolution:

Resolved, That the Senate be requested to return to the House, for further consideration, substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2 of the General Statutes of Missouri, concerning popular elections; which was read and adopted.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred substitute for Senate bill No. 259, entitled An act to create and perpetuate free public school funds for the several counties of of this State, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 259; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St.

Louis city, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Gray, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, Palmèr, Patterson of Linn, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wiley and Younger—98.

NOES—Mr. Kneisley—1.

ABSENT—Messrs. Ballew, Beckner, Brady, Burford, Carleton, Collins, Cowan of Christian, Dade, Dale, Davis, Dawson, Diercks, Foster, Gwynne, Hall, Hale, Harrigan, Ingram, Johnson, Kendall, Manistre, Miles, McCormick of Washington, McCormick of St. Louis city, O'Malley, Organ, Powers, Riley, Swank, Vancleve, Whitaker, Windes, Wisby and Mr. Speaker—34.

ABSENT WITH LEAVE—Messrs. Carroll, Freed, Hammons, McKinney, Rawlings, Souder and Withers—7.

SICK—Messrs. Burrows, Ham and Pollock—3.

The title of the bill was read and agreed to.

Mr. Farr moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 344, entitled An act to appropriate money for the payment of the judge of the sixteenth judicial circuit, for presiding over the Hannibal court of common pleas, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 344; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Adams, Anderson, Bashaw, Berry, Berryman, Bohannon, Boulware, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cock, Coleman, Cowan of Holt, Cox, Creager, Crow, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Greer, Hayes, Haynes, Harrison, Hynes, Helm, Kneisley, Lackland, Lesueur, Louthan, Lynn, Mabrey, Mackey, Mahn, Mudd of Lincoln, McDaniel, McGarry,

McIntyre, McKill, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Ragan, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Taylor, Tevis, Tiernan, Turner, Waggener, Weygandt and Wiley—65.

NOES—Messrs. Alldridge, Andrews, Arnold, Ballew, Beckner, Bonham, Booth, Bowman, Cloud, Cook, Cooper, Cowan of Christian, Craig, Crowther, Dale, Diercks, Gray, Harrington, Hubbard, Ingram, Knight, Lockhart, Manistre, Maynard, Morrison, Mott, McCormick of Washington, McElvain, Organ, Patterson of Linn, Pehle, Powers, Price, Reynolds, Swank, Talbot, Warren, Wells, Whitaker and Younger—40.

ABSENT—Messrs. Brady, Brewer, Burford, Collins, Dade, Davis, Drum, Finks, Foster, Gwynne, Hall, Hale, Harrigan, Johnson, Kendall, Larimore, Miles, Moler, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Powell, Riley, Spring, Vancleve, Windes, Wisby and Mr. Speaker—28.

ABSENT WITH LEAVE—Messrs. Carroll, Freed, Hammons, McKinney, Rawlings, Souder and Withers—7.

SICK—Messrs. Burrows, Ham and Pollock—3.

Senate substitute for Senate bill No. 194, entitled An act to appropriate money for the deficiencies in the appropriations for the years 1877 and 1878, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bills Nos. 81 and 207, entitled Acts to revise and amend title 4, chapter 10 of the General Statutes of the State of Missouri, concerning the Treasury Department; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them; was taken up.

On motion of Mr. Pepper, the bill was made the special order for 2½ o'clock P. M.

House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments; was taken up.

On motion of Mr. Lackland, the further consideration of the bill was postponed, and made the special order for 3 o'clock P. M.

On motion of Mr. McIntyre, Senate substitute No. 1 for Senate bill No. 52 was the special order for 3½ o'clock P. M.

Senate substitute for Senate bill No. 262, entitled An act to establish a bureau of labor statistics ; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bills Nos. 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies ; was called up, read the second time, and, on motion, referred to the Committee on Insurance.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.* Campbell in the chair.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 493, entitled An act to provide for filling the office of recorder of deeds in counties wherein such office has been separated from the office of county clerk, and find the same truly and correctly enrolled ; which was read.

House bill No. 493 ; was taken up, read at length by the Clerk signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 660, entitled An act to provide for obtaining certain statistical information and the publication of the same, and find the same truly and correctly enrolled ; which was read.

House bill No. 660 ; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Senate through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President of the Senate has appointed Senators Cottey, Parrish and Claiborne as a committee of conference on substitute No. 1 for

Senate bill No. 90, entitled An act concerning Attorney-General and prosecuting attorneys, to confer with Messrs. McCormick of St. Louis city, McIntyre and Arnold.

Also, that the President has appointed Senators Lloyd, Lakenan and Read, to confer with Messrs. Alldridge, Bashaw and Crowther on substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, et al., entitled An act for the government of cities of the fourth class; which was read.

The special order being the consideration of House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Ballew, Bashaw, Beckner, Bohannon, Bonham, Booth, Boulware, Brady, Brown, Burford, Campbell of St. Louis city, Campbell of Atchison, Carleton, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dade, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Freed, Gray, Greer, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener and Wells—91.

NOES—Messrs. Bowman, Brewer, Cooper, Drum, Farr, Finks, Hayes, Hale, Hynes, Johnson, Mahn, McKill, Swank, Weygandt and Wisby—15.

ABSENT—Messrs. Arnold, Berry, Berryman, Bryan, Chenoweth, Chitwood, Dale, Davis, Dawson, Foster, Gwynne, Harrigan, Kendall, Knight, Louthan, Maynard, McCormick of St. Louis city, Ragan, Riley, Vancleve, Warren, Whitaker, Wiley, Windes, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Hammons, McIntyre, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Pepper moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The special order being the consideration of House bill No. 536, entitled An act to enable cities and town to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Wells, Weygandt, Whitaker and Wisby—103.

NOES—Messrs. Farr, Gray, Ragan and Turner—4.

ABSENT—Messrs. Beckner, Chitwood, Dade, Dale, Davis, Dawson, Foster, Gwynne, Hall, Harrigan, Ingram, Kendall, Kneisley, Louthan, Maynard, McCormick of St. Louis city, O'Malley, Riley, Tiernan, Vancleve, Waggener, Warren, Wiley, Windes, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McIntyre, McKinney, Rawlings, Souder and Withers—7.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Johnson, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler,

Pehle, Pepper, Pollock, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt and Wisby—104.

NOES—Messrs. Farr and Gray—2.

ABSENT—Messrs. Andrews, Brewer, Chitwood, Creager, Dade, Dale, Davis, Dawson, Foster, Gwynne, Hall, Harrigan, Ingram, Kendall, Kneisley, Louthan, Maynard, McCormick of St. Louis city, Phelan, Riley, Smith of Cedar, Vancleve, Warren, Whitaker, Wiley, Windes, Younger and Mr. Speaker—28.

ABSENT WITH LEAVE—Messrs. Carroll, Hammons, McKinney, Rawlings, Souder and Withers—6.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute in part for Senate bills Nos. 69, 51, 214 and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15, 1877, beg leave to report that they have considered the same, and recommend that it do pass with amendments; which was read.

Senate substitute in part for Senate bills Nos. 69, 51, 214 and 230; was taken up, with the following amendments recommended by the Committee on Banks and Corporations:

Amendment No. 1—Amend section 2: Insert after word "corporation," line 3, printed bill, the words, "which shall not be the name of any corporation heretofore incorporated in this State for similar purposes, or an imitation of such name;" which was read and agreed to.

Amendment No. 2—Amend section 2: Strike out all after the word "fifth," in lines 14 and 15, printed bill, and insert, "the number of directors or manager, and the names of those agreed upon for the first year; which was read agreed to.

Amendment No. 3—Amend section 3: Add at the end of section, line 17, printed bill, as follows: "The articles of agreement shall be signed and acknowledged by the parties thereto, and recorded in the office of the recorder of deed of the county or city in which the corporation is to be located, and a certified copy of such recorded instru-

ment shall be filed in the office of the Secretary of State;" which was read and agreed to.

Amendment No. 4—Amend section 3: Strike out all of line 5, and all of line 6 as far as the words "of loaning money," printed bill; which was read and agreed to.

Amendment No. 5—Amend section 14: Add at the end of the section, line 17, printed bill; "Provided that a statement of such reduction of capital stock, acknowledged by the officers of the corporation, shall be recorded and filed in the same manner as provided in section 2 for the original articles of agreement;" which was read and agreed to.

Amendment No. 6—Amend section 22: Strike out lines 11 and 12, printed bill, and insert: "Shall be acknowledged, recorded and filed in the same manner as provided in section 2 for the articles of agreement;" which was read and agreed to.

Amendment No. 7—Amend section 25: Strike out section 25; which was read and agreed to.

Amendment No. 8—Amend section 26: Strike out section 26; which was read and agreed to.

Amendment No. 9—Amend section 27: Add after the word "made," line 2, printed bill, the word "recorded;" and strike out the word "certificate," same line, and insert in lieu thereof the word "statement;" which was read and agreed to.

Mr. Patterson of Schuyler offered the following amendment:

Amend section six, (6), line six, (6), by inserting after the letter or article "a," and before the words "bona fide," the following: "Resident of this State and a;" which was read and agreed to.

Mr. Louthan offered the following amendment:

Amend section 2, part third, line 6, by adding after the word "stock," "and cash capital;" and line 8, by adding after the word "half," "of the cash capital;" which was read and not agreed to.

Mr. Campbell of St. Louis city offered the following amendment:

Amend section 14 as follows: Strike out all after word "special," in line 2 of printed bill, and the word "may," in the 5th line of section 14; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bonham, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Cloud, Cock, Cook, Cowan of Holt, Cox, Creager, Craig, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Finks, Greer, Hayes, Hall, Hale, Harrigan, Harrison,

Hubbard, Hynes, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Mott, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Turner, Vancleve, Waggener, Warren and Weygandt—90.

NOES—Messrs. Beckner, Bohannon, Bowman, Collins, Cooper, Cowan of Christian, Crow, Dade, Gray, Harrington, Powell, Ragan, Saunders and Tiernan—14.

ABSENT—Messrs. Boulware, Brown, Burford, Chenoweth, Chitwood, Coleman, Dale, Davis, Drum, Foster, Gwynne, Haynes, Ingram, Johnson, Kendall, Miles, Moler and McCormick of St. Louis city, Riley, Taylor, Wells, Whitaker, Wiley, Windes, Wisby, Younger and Mr. Speaker—27.

ABSENT WITH LEAVE—Messrs. Carroll, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., May 14, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR: I return to the House with my approval endorsed thereon, bills of the following titles:

An act concerning the publication of judicial notices in cities having more than one hundred thousand inhabitants.

An act for the relief of Joel G. McClaren, sheriff of Ripley county, Missouri.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary to whom was referred substitute No. 1 for Senate bill No. 52, entitled an act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri, beg leave to report that they have considered the same, and recommend

that it do pass with the amendments herewith submitted ; which was read.

Senate substitute No. 1 for Senate bill No. 52, being the special order for this hour, was taken up with the following amendments recommended by the Committee on Judiciary:

Amendment No. 1—Amend by adding the following four sections after section 77, to be known as sections 78, 79, 80 and 81:

Section 78. The St. Louis court of appeals shall appoint a marshal and a janitor, whose respective duties and term of office shall be governed by the laws applicable to the marshal and janitor of the supreme court of this State.

Sec. 79. The marshal of the St. Louis Court of Appeal shall receive compensation for his services in a sum not to exceed the sum of two thousand dollars per annum, to be paid quarterly. Such compensation to be fixed for his services by the St. Louis Court of Appeals by order of said court entered of record.

Sec. 80. The janitor of said court shall receive compensation for his services in a sum not to exceed the sum of six hundred dollars per annum, to be fixed by said court by order entered of record, and to be payable monthly, except as hereinafter stated.

Sec. 81. The said marshal and janitor shall receive out of the State treasury one-third of their respective salaries, as may be fixed by order of said court, in four equal installments; and said marshal and janitor shall present their accounts to the State Auditor, approved by the presiding judge of said court, and the Auditor shall draw his warrant therefor upon the treasury, to be paid out of the appropriations made for the payment of the civil officers of the State; which was read and agreed to.

Amendment No. 2—Strike out section 79 and insert the following in lieu of said section: Section 79. The circuit courts, in the respective counties in which they may be held, shall have power and jurisdiction as follows:

First—As courts of law in all criminal cases which shall not be otherwise provided for by law;

Second—Exclusive original jurisdiction in all civil cases which shall not be cognizable before the county courts, probate courts and justices of the peace, and not otherwise provided by law;

Third—Concurrent original jurisdiction with justices of the peace in all civil actions and proceedings for the recovery of money, whether such actions be founded upon contract or tort, or upon a bond or undertaking given in pursuance of law in any civil action or proceeding, or for a penalty or forfeiture given by any statute of this State, when the sum demanded, exclusive of interest and costs, shall

exceed fifty dollars and does not exceed one hundred and fifty dollars; and of all actions against any railroad company in this State, to recover damages for the killing or injuring horses, mules, cattle or other animals, without regard to the value of such animals, or the amount claimed for killing or injuring the same. In all counties or cities having over fifty thousand inhabitants, concurrent original jurisdiction with justices of the peace of all actions and proceedings for the recovery of money, whether such actions be founded upon contract or tort, upon a bond or undertaking given in any civil action or proceeding, or for a penalty or forfeiture given by any statute of this State, when the sum demanded, exclusive of interest and costs, shall exceed fifty dollars, and does not exceed two hundred and fifty dollars; and of all actions against any railroad company in this State to recover damages for the killing or injuring horses, mules, cattle or other animals, without regard to the value of such animals, or the amount of damages claimed for killing or injuring the same;

Fourth—Appellate jurisdiction from the judgments and orders of county courts, probate courts and justices of the peace, in all cases not expressly prohibited by law, and shall possess a superintending control over them;

Fifth—A general control over executors, administrators, guardians, curators, minors, idiots, lunatics, and persons of unsound mind; which was read and agreed to.

Amendment No. 3—Amend by striking out section 82; which was read and agreed to,

Amendment No. 4—Amend by changing the numbers of sections 78, 79, 80 and 81, to 82, 83, 84 and 85, respectively; which was read and agreed to.

Amendment No. 5—Amend by changing the numbers of sections 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, to 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 and 112, respectively; which was read and agreed to.

Mr. Wells offered the following amendment:

Amend section 105, of the printed bill, by adding to said section the following words: Provided, that such mileage shall be charged only once for each term of court; which was read and agreed to.

Mr. Wells offered the following amendment:

Amend by striking out section 108, printed bill; which was read and not agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Farr, Finks, Gray, Greer, Hayes, Hall, Hale, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, Palmer, Pehle, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Tevis, Turner, Vancleve, Waggener, Weygandt and Wisby—89.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bowman, Cowan of Christian, Dade, Ellis, Kneisley, Louthan, Organ, Patterson of Schuyler, Powell, Warren, Wells and Whitaker—16.

ABSENT—Messrs. Bashaw, Boulware, Brown, Burford, Chitwood, Dale, Davis, Foster, Gwynne, Harrington, Ingram, Johnson, Kendall, Miles, Morrison, McCormick of St. Louis city, McCormick of Washington, O'Malley, Pepper, Riley, Smith of Cedar, Spring, Tiernan, Wiley, Windes, Younger and Mr. Speaker—27.

ABSENT WITH LEAVE—Messrs. Carroll, Freed, Hammons, McKinney, Rawlings, Souder and Withers—7.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 588, entitled An act to amend section 15 of chapter 69 of the General Statutes;

Also, substitute for House bill No. 703, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877, and has adopted the emergency clause thereto;

Also, that the Senate has taken up substitute No. 6 in part for Senate bill No. 100, entitled An act relating to city, town and other plats, and has concurred in House amendment No. 2, and amended House amendment No. 1 thereto;

Also, substitute for that part of Senate bill No. 70, contained in chapters Nos. 63, 64, 65 and 66 of the General Statutes of Missouri, entitled An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations, and has concurred in House amendments Nos. 1, 2 and 3 and 6, and amended amendments Nos. 4 and 5, in which the concurrence of the House is respectfully requested;

Also, that the Senate has taken up and concurred in House amendments to substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2 of the General Statutes of Missouri, concerning popular elections;

Also, the Senate has concurred in House amendments to substitute for Senate bill No. 322, entitled An act in relation to the title to the 16th section of certain townships; which was read.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 96 of the General Statutes of the State of Missouri, concerning peddlers and their licenses, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment; which was read.

Senate substitute No. 11 for Senate bill No. 82; was taken up, with the following amendment recommended by the Committee on Ways and Means:

Amend section 7 by adding thereto the following: "Any county court may, by an order of record, require all peddlers doing business in their county to pay a license tax not greater than that levied for State purposes; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Booth, Bowman, Brady, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Chitwood, Cock, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrigan, Harrington, Harrison, Hynes, Helm, Kneisley, Knight, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pollard, Powell, Powers, Price, Ragan, Reynolds,

Saunders, Settles, Smith of St. Louis city, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Warren and Weygandt—88.

NOES—Messrs. Cloud, Cooper, Cowan of Christian and Whitaker—4.

ABSENT—Messrs. Ballew, Bonham, Boulware, Brown, Burford, Chenoweth, Coleman, Crowther, Dade, Dale, Davis, Dawson, Finks, Foster, Haynes, Hubbard, Ingram, Johnson, Kendall, Lackland, Larimore, Mackey, Maynard, Miles, McCormick of Washington, McCormick of St. Louis city, Organ, Pepper, Phelan, Riley, Smith of Cedar, Spring, Wells, Waggener, Wiley, Windes, Wisby, Younger and Mr. Speaker—39.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Freed, Hammons, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Bryan moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 399, entitled An act to preserve the public school funds of cities and towns of this State.

Also, House bill No. 682, entitled An act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877; which was read.

House bill No. 692, entitled An act to amend an act entitled an act to amend section 37 of an act approved March 26, 1874, entitled an act to reorganize and provide for the support of public schools, and to revise and amend the laws relating thereto, and to repeal certain acts and parts of acts, approved March 19, 1870; was taken up, read the third time, and failed to pass by the following vote:

AYES—Messrs. Bashaw, Berry, Booth, Boulware, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Chitwood, Cock, Collins, Cooper, Cox, Creager, Crowther, Dawson, Dilley, Dougherty, Ewing, Farr, Hubbard, Helm, Kneisley, Lackland, Mahn, Maynard, Moler, Morrison, Mudd of Lincoln, McDaniel, McGarry, McKill, O'Malley, Organ, Pehle, Phelan, Pollard, Powell, Settles, Smith of St. Louis city, Tevis, Warren and Wells—44.

NOES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berryman, Bohannon, Bonham, Brewer, Carleton, Cloud, Coleman, Cook, Cowan of Christian, Cowan of Holt, Craig, Crow, Dade, Diercks, Dodson, Drum, Ellis, Finks, Gray, Hayes, Hale, Harrigan, Harrington, Harrison, Hynes, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, Palmer, Pepper, Powers, Ragan, Reynolds, Swank, Talbot, Taylor, Tiernan, Turner, Waggener and Weygandt—54.

ABSENT—Messrs. Bowman, Brady, Brown, Burford, Dale, Davis, Foster, Greer, Gwynne, Hall, Haynes, Ingram, Johnson, Kendall, Larimore, Lesueur, Manistre, Miles, Mott, Patterson of Schuyler, Riley, Saunders, Smith of Cedar, Spring, Vancleve, Whitaker, Wiley, Windes, Wisby, Younger and Mr. Speaker—31.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dryden, Freed, Hammons, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

Mr. Bonham moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 545, entitled An act to authorize counties which adopted the township organization law, when the same was in force, to provide for the payment of the debts of such townships as left unpaid when said law was repealed; was called up, read the third time, and passed by the following vote:

AYES—Messrs. Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bonham, Booth, Boulware, Brewer, Bryan, Campbell of St. Louis city, Chitwood, Cloud, Collins, Cowan of Christian, Cox, Crow, Crowther, Dade, Dawson, Diercks, Dodson, Dougherty, Ewing, Greer, Hayes, Hall, Harrigan, Harrison, Hynes, Helm, Kneisley, Knight, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Vancleve, Waggener, Warren, Weygandt, Whitaker, Windes, Wisby and Younger—78.

NOES—Messrs. Adams, Bohannon, Campbell of Atchison, Carleton, Chilton, Cock, Coleman, Cook, Cooper, Cowan of Holt, Craig, Creager, Dilley, Drum, Ellis, Farr, Finks, Hale, Haynes, Louthan, Swank and Tevis—22.

ABSENT—Messrs. Bashaw, Bowman, Brady, Brown, Burford, Chenoweth, Dale, Davis, Foster, Gray, Gwynne, Harrington, Hubbard, Ingram, Johnson, Kendall, Larimore, Manistre, Maynard, Miles, Moler, Riley, Saunders, Settles, Smith of Cedar, Wells, Wiley and Mr. Speaker—28.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dryden, Freed, Hammons, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.

The title of the bill was read and agreed to.

Mr. Mudd of St. Louis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate bill No. 365, entitled An act to repeal sections 15, 16 and 17 of an act entitled an act to establish a criminal court in St. Louis county, approved November 29, 1855; was called up and read the first time.

Senate bill No. 368, entitled An act to regulate the examination and approval of official bonds, and to provide for the bringing and prosecuting of suits thereon; was called up and read the first time.

Senate substitute for Senate bill No. 85, entitled An act to revise and amend title 6, chapter 14 of the General Statutes of Missouri, entitled of the State interest fund and the State sinking fund; was called up and read the first time.

Senate bill No. 364, entitled An act to repeal an act entitled an act in relation to change of venue from the criminal court of St. Louis county, approved December 11, 1855; was called up and read the first time.

On motion of Mr. Louthan, Senate substitute for Senate bills Nos. 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies, was made the special order for Thursday, May 15th, at 10 o'clock A. M.

Senate bill No. 247, entitled An act requiring certain officers to pay over fees to the treasurer of certain municipalities; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 79, entitled An act to revise and amend title 1 of the General Statutes of the State of Missouri, concerning the State census; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute in part for Senate bills Nos. 215, 216, 217 and 218, entitled An act to enable counties, cities, townships and towns to fund all or any part of their bonded debt and unpaid subscriptions to

the capital stock of any railroad company, after first submitting the same to a vote of the qualified voters thereof, and to create a sinking fund for the payment of such indebtedness, etc.; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute in part for Senate bill No. 64, entitled An act to revise and amend title 51, chapter 224 of the General Statutes of the State of Missouri, concerning the construction of statutes and legal phrases; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 13 for Senate bill No. 82, entitled An act to revise and amend chapter 95 of the General Statutes of the State of Missouri, concerning auctioneers and their licenses; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 333, entitled An act to revise and amend the laws in relation to the assessment of railroad property, and the collection of taxes thereon; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 2 for Senate bill No. 76, entitled An act revising and amending the laws relating to the normal schools in the State of Missouri, and repealing all acts and parts of acts inconsistent with this act; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 201, entitled An act to revise and amend an act establishing probate courts, approved April 9th, 1877; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute in part for Senate bill No. 99, entitled An act to amend sections 1 and 107 of chapter 34 of the General Statutes of Missouri, entitled of counties and county boundaries, etc.; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate joint and concurrent resolution No. 20, entitled Joint and concurrent resolution instructing our Senators, and requesting our representatives in Congress, to vote for and support, by all honorable influences, the bills now pending before Congress for the repeal of the federal election laws of May 31, 1870, and acts amendatory of January 28, 1871, and June 10, 1872, known as the federal supervisory election laws; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report:

Mr. SPEAKER: Your Committee on Ways and Means, to whom was referred House joint and concurrent resolution No. 58, concerning settlement with the State Auditor, beg leave to report that they have considered the same, and recommend that the substitute herewith submitted do pass; which was read.

House joint and concurrent resolution No. 58; was taken up, with the substitute recommended by the Committee on Ways and Means. The substitute was read.

On motion of Mr. Bryan, the further consideration of the resolution and substitute was postponed, and made the special order for to-morrow (Thursday) morning at 9 o'clock.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND SIXTH DAY—THURSDAY, May 15, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr, the further reading was dispensed with.

Leave of absence was granted Mr. Dade for the balance of the session.

Mr. Wisby introduced a joint and concurrent resolution, entitled House joint and concurrent resolution authorizing the Warden of the Penitentiary to build a hook and ladder truck; which was read the first, second and third times and adopted.

Leave of absence was granted the Committee on Banks and Corporations for one hour.

Senate bill No. 368, entitled An act to regulate the examination and approval of official bonds, and to provide for the bringing and prosecuting of suits thereon; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate bill No. 364, entitled An act to repeal an act entitled an act in relation to change of venue from the criminal court of St. Louis county, approved December 11, 1865; was called up, read the second time, and, on motion, referred to the Committee on Judiciary.

Senate substitute for Senate bill No. 85, entitled An act to revise and amend title 6, chapter 14 of the General Statutes of Missouri, entitled of the State interest fund and the State Sinking Fund; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 365, entitled An act to repeal sections 15, 16 and 17 of an act entitled an act to establish a criminal court in St. Louis county, approved November 29, 1855; was called up, read the second time, and, on motion, referred to the St. Louis Delegation.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute No. 9 for Senate bill No. 82, entitled An act to revise and amend an act entitled an act of merchants and their licenses, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute No. 9 for Senate bill No. 82 was taken up with the following amendment recommended by the Committee on Ways and Means:

Amend by adding a new section to be known as section 3, to read as follows:

Section 3. Any farmer residing in this State, who shall grow on his farm any article of produce, and shall ship or otherwise convey the same to market on his own account, and shall sell the same, either in whole or in part, for iron, salt, sugar, coffee, teas, spun cotton, nails or leather, is hereby authorized and permitted to vend and retail the said articles at his place of residence, free from taxation or license, in any quantity he may choose, but this section shall not be so construed as to extend to any merchant; which was read and agreed to.

The bill as amended was then read the third time, and passed by the following vote:

AYES—Messrs. Anderson, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Carleton, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Craig, Crow, Crowther, Dale, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster,

Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Hynes, Helm, Johnson, Kendall, Knight, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Mott, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McKill, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Taylor, Tevis, Tiernan, Waggener, Warren, Wells, Weygandt, Windes and Wisby—92.

NOES—Messrs. Burford and Ingram—2.

ABSENT—Messrs. Adams, Arnold, Beckner, Campbell of Atchison, Chenoweth, Diercks, Hall, Harrison, Kneisley, Lackland, Larimore, Lesueur, Maynard, Morrison, Mudd of St. Louis, McCormick of St. Louis city, O'Malley, Organ, Pehle, Powell, Riley, Settles, Spring, Talbot, Turner, Vancleve, Whitaker, Wiley, Younger and Mr. Speaker—30.

ABSENT WITH LEAVE—Messrs. Alldridge, Campbell of St. Louis city, Carroll, Dade, Dryden, Freed, Hammons, Hubbard, Miles, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—15.

SICK—Messrs. Burrows, Ham, Patterson of Linn and Pollock—4.
The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bryan, from the Committee on County Boundaries, submitted the following report:

MR. SPEAKER: Your Committee on County Boundaries, to whom was referred Senate bill No. 192, entitled An act in relation to the formation of new counties, and to provide for the apportionment and payment of the liabilities of counties affected by the alteration of the county boundaries, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 192; was taken up.

Mr. Taylor offered the following amendment:

Amend section 1 of printed bill, by inserting the following words after the word "attached" in line 5: "unless where, by contract between such new and old county, it is agreed otherwise;" which was read and agreed to:

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt,

Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Hynes, Helm, Johnson, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wisby—101.

NOES—Messrs. Bashaw and Ingram—2.

ABSENT—Messrs. Arnold, Burford, Chenoweth, Cock, Dilley, Hall, Harrison, Kneisley, Larimore, Lesueur, Manistre, Mott, Mudd of St. Louis, McCormick of St. Louis city, Powell, Riley, Tiernan, Vancleve, Wiley, Windes, Younger and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Alldridge, Campbell of St. Louis city, Carroll, Dade, Freed, Hammons, Hubbard, Kendall, Miles, McDaniel, McKinney, Rawlings, Saunders, Souder and Withers—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Cowan of Holt moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 424, entitled An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter 61 of the General Statutes of Missouri, and all acts amendatory thereto, and find the same truly and correctly enrolled; which was read.

House bill No. 424; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred substitute for that part of Senate bill No. 69 included under chapter 70, General Statutes, entitled An act regulating the incorporation of scientific, benevolent, educational and miscellaneous associations, beg leave to report that they have consid-

ered the same, and recommend that it do pass, with the following amendment; which was read.

Senate substitute No. 1 for that part of Senate bill No. 69, included under chapter 70, title 24, of the General Statutes of Missouri; was taken up, with the following amendment recommended by the Committee on Benevolent and Scientific Institutions:

Amend by striking out the words "and recorded," where they occur in lines 27 and 30 of section 2 of printed bill; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Brady, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Haynes, Harrigan, Harrington, Harrison, Hynes, Kneisley, Knight, Lockhart, Lynn, Mackey, Maynard, Mott, Mudd of Lincoln, Mudd of St. Louis, McGarry, McCormick of Washington, McIntyre, McKill, O'Malley, Organ, Palmer, Phelan, Pollock, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Whitaker and Wisby—80.

NOES—Messrs. Anderson, Andrews, Ballew, Beckner, Boulware, Bowman, Brewer, Brown, Cowan of Christian, Crowther, Gray, Greenhelm, Ingram, Johnson, Lackland, Larimore, Louthan, Mahn, Morrison, McDaniel, McElvain, Pehle, Waggener, Warren, Wells and Weygandt—27.

ABSENT—Messrs. Arnold, Burford, Chitwood, Hall, Hale, Lesueur, Mabrey, Manistre, Moler, McCormick of St. Louis city, Patterson of Schuyler, Pepper, Powell, Riley, Swank, Vancleve, Wiley, Winder Younger and Mr. Speaker—20.

ABSENT WITH LEAVE—Messrs. Alldridge, Campbell of St. Louis city, Carroll, Dade, Freed, Hammons, Hubbard, Kendall, Miles, McKinney, Rawlings, Souder and Withers—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Taylor moved to reconsider the vote by which the bill passed and to lay his motion to reconsider on the table; which was agreed to.

Mr. Price moved to reconsider the vote by which Senate bill No. 344 failed to pass on yesterday; which was agreed to.

Senate bill No. 344, entitled An act to appropriate money for the payment of the judge of the sixteenth judicial circuit, for presiding over the Hannibal court of common pleas; was taken up.

The question being upon the passage of the bill, the roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson, Bashaw, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cowan of Holt, Cox, Creager, Davis, Dawson, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Farr, Foster, Greer, Gwynne, Hayes, Hale, Haynes, Harrigan, Harrington, Hynes, Helm, Kneisley, Lackland, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Mott, Mudd of Lincoln, McDaniel, McGarry, McIntyre, O'Malley, Palmer, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Weygandt, Wisby and Mr. Speaker—73.

NOES—Messrs. Adams, Andrews, Ballew, Beckner, Booth, Bowman, Brewer, Chitwood, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Christian, Craig, Crow, Crowther, Dale, Diercks, Drum, Finks, Gray, Harrison, Ingram, Johnson, Knight, Larimore, Lockhart, Manistre, Morrison, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McElvain, McKill, Organ, Pehle, Reynolds, Swank, Warren, Wells and Whitaker—42.

ABSENT—Messrs. Arnold, Burford, Collins, Hall, Lesueur, Patterson of Schuyler, Powell, Riley, Spring, Vancleve, Wiley, Windes and Younger—13.

ABSENT WITH LEAVE—Messrs. Alldridge, Carroll, Dade, Freed, Hammons, Hubbard, Kendall, Miles, McKinney, Rawlings, Souder, and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The Doorkeeper, Mr. Moore, was reported sick.

Mr. Davis moved that the Speaker appoint a Doorkeeper *pro tem.*; which was agreed to.

The Speaker appointed as said Doorkeeper *pro tem.*, Samuel S. Stanton.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Conference Committee, appointed to consider and adjust the dif-

ferences between the two houses on substitute No. 1, for Senate bill No. 90, entitled An act concerning Attorney-General and prosecuting attorneys, etc., in which the concurrence of the House is respectfully requested ;

Also, that the Senate has taken up and concurred in all of House amendments to substitute for Senate bill No. 173, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons ;

Also, that the Senate has taken up and concurred in all of House amendments to substitute in part for Senate bills Nos. 69, 51, 214 and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount, approved May 15, 1877; which was read.

The following message was received from the Senate through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 647, entitled An act to amend section 1, of chapter 16, General Statutes, and to add a new section to said chapter to be numbered section 16; also,

House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor; which was read.

The special order being the consideration of House concurrent resolution No. 58, entitled Concurrent resolution to amend and approve the report of the committee appointed by Governor John S. Phelps to settle with the State Auditor, State Treasurer, and to examine into the condition and affairs of the office of Register of Lands, and the substitute recommended by the Committee on Ways and Means; was taken up.

Mr. Dawson offered the following amendment to the substitute:

Amend the substitute by inserting after the figures "1557," the following words and figures, to-wit: "Nos. 9 and 35, 216, 346, 1208, 1836, 1764, 196," which was read and not agreed to.

The substitute was agreed to, and, on motion, ordered engrossed and printed.

Leave of absence was granted Mr. Haynes for four hours.

Mr. McIntyre, from Committee on Conference on Senate substitute No. 1 for Senate bill No. 90, submitted the following report:

MR. SPEAKER: Your Committee of Conference to whom was referred substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of the State of Missouri, concerning Attorney-General and prosecuting attorneys, beg

leave to report that they have considered the same, and recommend that the Senate concur in House amendments Nos. 1, 2 and 3, as follows :

Amendment No. 1—Amend section 21 in line 2 by striking out the word “two,” and inserting the word “four,” in lieu thereof.

Amendment No. 2—Amend by striking out section 23, and insert in lieu thereof the following, to be numbered section 23 :

Section 23. At the general election to be held in this State, in the year 1882, and every four years thereafter, there shall be elected in the city of St. Louis for the St. Louis court of criminal correction, one prosecuting attorney and one assistant prosecuting attorney, who shall reside in said city and shall possess the same qualifications, and be subject to the same duties as are now provided by law for the government of said officers, and the duty of transmitting the abstract of the votes by which said officers are elected, heretofore devolving upon the county clerk, shall be performed by the register of said city as provided in section 21 of this act.

Amendment No. 3—Amend by inserting a new section to be known as section 24, to read as follows :

Section 24. The circuit attorney and assistant circuit attorney, the prosecuting attorney and assistant prosecuting attorney, of the city of St. Louis, shall receive the same compensation, payable in like manner, as is now provided by law.

Your committee further recommend that the following be adopted as a substitute for section 24 :

Section 24. The Attorney-General, prosecuting attorneys, the circuit attorney and assistant circuit attorney, the prosecuting attorney and assistant prosecuting attorney for the city of St. Louis, shall be commissioned by the Governor, and shall hold their offices until their successors are elected, commissioned and qualified.

Also, amend section 25 (printed bill) by inserting after the word “General,” in line 2, these words, “circuit attorney, assistant circuit attorney.”

And further recommend that the Senate concur in House amendments Nos. 6, 7 and 8 as follows :

Amendment No. 6—Amend section 27 of printed bill by striking out the words “this act,” and inserting in lieu thereof the words “preceding section.”

Amendment No. 7—Amend by changing the numbers of sections 24, 25, 26 and 27 to numbers 25, 26, 27 and 28 respectively.

Amendment No. 8—Amend section 6 by striking out in line 5, printed bill, the words “reside at the county seat.”

All of which is respectfully submitted :

L. F. Cottey, Jas. K. Claiborne and T. H. Parrish, Senate Committee; D. H. McIntyre, S. D. McCormick and Marshall Arnold, House Committee; which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crowther, Crow, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Warren, Weygandt, Wisby and Mr. Speaker—105.

ABSENT—Messrs. Alldridge, Arnold, Beckner, Bonham, Boulware, Campbell of Atchison, Dale, Davis, Dawson, Ingram, Johnson, Kendall, Knight, Lesueur, Maynard, Mott, McCormick of Washington, Pepper, Powell, Riley, Settles, Vancleve, Wells, Whitaker, Wiley, Windes and Younger—27.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred substitute for Senate bills 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies, beg leave to report that they have considered the same and recommend that it do pass; which was read.

Senate substitute for Senate bills Nos. 10, 29 and 32; was taken up.

Mr. Ragan offered the following amendment:

Amend by adding section 5: "No portion of this act shall apply to policies issued in a State which has a non-forfeiture law;" which was read and not agreed to.

Mr. Wells offered the following amendment:

Amend section 1 by striking out the words and figures "three-fourth ($\frac{3}{4}$)," in line 10 of the printed bill, and insert in lieu thereof the words and figures "four-fifths ($\frac{4}{5}$);" which was read and not agreed to.

Mr. Wells offered the following amendment:

Amend section 3 by striking out all of said section after the word "insured," in line 11 of the printed bill; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Gray, Greer, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker, Wisby and Mr. Speaker—107.

NOES—Mr. Cox—1.

ABSENT—Messrs. Campbell of St. Louis city, Davis, Dawson, Farr, Gwynne, Harrigan, Kendall, Knight, Lackland, Lesueur, Moler, Morrison, Pollock, Powell, Riley, Saunders, Settles, Tevis, Vancleve, Wiley, Windes and Younger—22.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, Haynes, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 262, entitled An act to establish

a bureau of labor statistics, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate substitute for Senate bill No. 262; was taken up, with the following amendment, recommended by the Committee on Judiciary.

Amend by adding the following section:

"Section 7. There is hereby appropriated out of any money remaining in the State Treasury not otherwise appropriated, the sum of five thousand dollars for the ensuing two years, for the purpose of carrying out the provisions of this act. The commissioner herein named shall receive his salary in quarterly installments, and the expenses of the bureau shall be paid on the vouchers presented by the commissioner; which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Bonham, Booth, Boulware, Brady, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Holt, Cowan of Christian, Cox, Crow, Crowther, Davis, Dilley, Dodson, Dougherty, Dryden, Ellis, Finks, Foster, Gwynne, Hayes, Hall, Hale, Haynes, Harrington, Hynes, Helm, Ingram, Kneisley, Lackland, Larimore, Lockhart, Lynn, Mackey, Mahn, Manistre, Maynard, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollock, Powers, Price, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Whitaker, Wisby, Younger and Mr. Speaker—86.

NOES—Messrs. Ballew, Bohannon, Bowman, Brewer, Brown, Chitwood, Cooper, Creager, Craig, Diercks, Drum, Ewing, Greer, Harrison, Hubbard, Louthan, Mabrey, McCormick of Washington, Patterson of Schuyler, Pollard, Reynolds, Warren and Wells—23.

ABSENT—Messrs. Berry, Berryman, Carleton, Dale, Dawson, Farr, Gray, Harrigan, Johnson, Kendall, Knight, Lesueur, Miles, Powell, Riley, Settles, Tevis, Vancleve, Wiley, Windes and Weygandt—21.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Taylor moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

House bill No. 567, entitled An act to amend section 5 of an act entitled an act for the classification of cities and towns, approved April 21, 1877; was called up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Beckner, Berry, Bohannon, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Chitwood, Cock, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Gray, Greer, Gwynne, Hayes, Hall, Hale, Harrison, Hubbard, Hynes, Helm, Ingram, Kneisley, Lackland, Larimore, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pollock, Powers, Price, Ragan, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Waggener, Warren, Weygandt, Whitaker and Mr. Speaker—89.

NOES—Messrs. Maynard and Turner—2.

ABSENT—Messrs. Ballew, Bashaw, Berryman, Bonham, Burford, Campbell of St. Louis city, Dawson, Diercks, Drum, Farr, Foster, Haynes, Harrigan, Harrington, Johnson, Kendall, Knight, Lesueur, Lockhart, Miles, Morrison, Mudd of St. Louis, McCormick of Washington, Pepper, Phelan, Pollard, Powell, Riley, Reynolds, Settles, Taylor, Tevis, Vancleve, Wells, Wiley, Windes, Wisby and Younger—38.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Dryden moved to reconsider the vote by which the bill passed.

Mr. McCormick of St. Louis city moved to lay the motion to reconsider on the table; which was agreed to.

The title of the bill was read and agreed to.

Senate substitute for Senate bill No. 70, entitled An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations; was called up.

On motion of Mr. Wells, the further consideration of the bill was postponed, and made the special order for 2½ o'clock P. M.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Campbell of Atchison offered the following resolution:

WHEREAS, the near approach of the day fixed for the adjournment of the present General Assembly makes it important that all bills, the passage whereof is important to the people of this State, should be acted upon without delay; and,

WHEREAS, substitute for Senate bill No. 87, entitled An act to revise and amend title five of the General Statutes of Missouri, concerning the assessment and collection of the revenue, is of such importance to the interests of the people of this State as to imperatively require the prompt consideration of the House; therefore, be it

Resolved, that the House Ways and Means Committee, to which said bill was referred on the 6th day of May, 1879, be and his hereby instructed to report said bill to this House at once; which was read.

The question being upon the adoption of the resolution, the ayes and noes were demanded, and the resolution was not adopted by the following vote:

AYES—Messrs. Anderson, Ballew, Berry, Bonham, Booth, Brewer, Burford, Campbell of Atchison, Chitwood, Collins, Cook, Dougherty, Drum, Ewing, Foster, Hall, Hynes, Ingram, Kendall, Knight, Mackey, Manistre, Mott, Mudd of Lincoln, McCormick of Washington, McKill, Organ, Pehle, Pepper, Phelan, Pollard, Powell, Talbot and Younger—34.

NOES—Messrs. Adams, Andrews, Arnold, Bashaw, Beckner, Berryman, Bohannon, Boulware, Bowman, Brown, Bryan, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Diercks, Dodson, Ellis, Farr, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hale, Haynes, Harrington, Harrison, Hubbard, Helm, Johnson, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mahn, Miles, Maynard, Morrison, McDaniel, McElvain, McIntyre, O'Malley, Palmer, Patterson of Schuyler, Powers, Price, Ragan, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Tevis, Turner, Waggener, Warren, Wisby and Mr. Speaker—74.

ABSENT—Messrs. Alldridge, Brady, Campbell of St. Louis city, Cowan of Holt, Crowther, Dale, Dawson, Dilley, Dryden, Harrigan, Moler, Mudd of St. Louis, McCormick of St. Louis city, McGarry,

Pollock, Rawlings, Riley, Settles, Souder, Tiernan, Vancleve, Wells, Whitaker, Weygandt, Wiley and Windes—27.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Davis, Hammons, McKinney and Withers—6.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 711, entitled An act supplemental and amendatory of an act entitled an act to revise and amend title 36, chapter 164 of the General Statutes of the State of Missouri, concerning the publication of judicial notices, and other matters, approved May 10, 1879, in which the concurrence of the House is respectfully requested; which was read.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 706, entitled An act to amend an act entitled an act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 706; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 682, entitled An act to amend an act entitled an act dividing the State into judicial circuits, and find the same truly and correctly enrolled; which was read.

House bill No. 682; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Leave of absence was granted the Committee on Ways and Means for the afternoon.

The special order being the consideration of Senate bill No. 70; was taken up with the following Senate amendments to House amendments (said amendments to amendments having been printed):

Senate amendment No. 1 to House amendment No. 4—Amend amendment No. 4 by striking out the figure "5," and insert the figures "57;" was read and concurred in by the following vote:

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Bohannon, Bowman, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Dodson, Drum, Dryden, Ellis, Ewing, Farr, Greer, Gwynne, Hayes, Hall, Harrington, Harrison, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, McKinney, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Price, Ragan, Reynolds, Saunders, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Whitaker, Windes, Wisby and Mr. Speaker—86.

NOES—Messrs. Beckner, Hale, Hynes, Pollard, Powell and Younger—6.

ABSENT—Messrs. Alldridge, Andrews, Ballew, Bonham, Booth, Boulware, Brady, Cock, Collins, Cowan of Christian, Cowan of Holt, Dale, Davis, Diercks, Dougherty, Foster, Gray, Haynes, Harrigan, Hubbard, Kendall, Lackland, Manistre, Miles, Morrison, McCormick of Washington, McGarry, Pepper, Pollock, Powers, Riley, Smith of Cedar, Vancleve, Waggener, Weygandt and Wiley—36.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dawson, Dade, Dilley, Finks, Freed, Hammons, Rawlings, Settles, Souder and Withers—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Senate amendment No. 2 to House amendment No. 5—Amend amendment No. 5 by striking out the figure "2," and inserting the figure "3," in lieu thereof; was read and concurred in by the following vote:

AYES—Messrs. Adams, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Chitwood, Cloud, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Diercks, Dodson, Drum, Dryden, Ellis, Ewing, Farr, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city,

McDaniel, McElvain, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Powers, Price, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker, Windes, Wisby, Younger and Mr. Speaker—103.

NOES—Messrs. Hynes and Pollard—2.

ABSENT—Messrs. Alldridge, Brady, Cock, Cox, Dale, Davis, Dougherty, Harrigan, Kendall, Lackland, Miles, Moler, McGarry, Pepper, Powell, Ragan, Riley, Vancleve, Waggener and Wiley—20.

ABSENT WITH LEAVE—Messrs. Berryman, Bryan, Carroll, Dade, Dawson, Dilley, Finks, Freed, Hammons, Harrington, McKinney, Rawlings, Settles, Souder and Withers—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Senate substitute for Senate bill No. 309, entitled An act to revise and amend chapter 131, entitled of wills, etc.; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute for Senate bill No. 322, entitled An act in relation to the title to the sixteenth section in certain townships; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute for Senate bill No. 209 and Senate bill No. 70, entitled An act to revise and amend chapter 62 of the General Statutes of the State of Missouri, concerning private corporations, their general powers and liabilities; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 2 for Senate bill No. 75, entitled An act to revise and amend chapter three, title 2 of the General Statutes of the State of Missouri, concerning Congressional districts and elections, and the election of electors of President and Vice-President; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate substitute No. 2 for Senate bill No. 90, entitled An act to revise and amend chapter 24 of the General Statutes, concerning clerks of courts of record; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 444, entitled An act for the government of the State penitentiary, and the appointment of officers therefor, and defining their duties, and find the same truly and correctly enrolled; which was read.

House bill 444; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State, and insists upon its amendment thereto, and requests a committee of conference thereon, the President of the Senate having appointed as such committee, on the part of the Senate, Senators Phelan, Parrish and Naylor; which was read.

The Speaker appointed, as a committee of conference on substitute for House bills Nos. 153, 372 and 437, Messrs. Hall, Bashaw and Gwynne.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred substitute for Senate bill No. 205, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known in law as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 205; was taken up.

Mr. Tiernan offered the following amendment:

Amend section 1, line 2, by striking out the words, "or medicated bitters containing alcohol;" which was read and not agreed to.

The bill was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christain, Cowan of Holt, Cox, Creager, Craig, Crow, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Greer, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Knight, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powell, Powers, Price, Reynolds, Smith of Cedar,

Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Turner, Warren, Wells, Whitaker, Younger and Mr. Speaker—83.

NOES—Messrs. Arnold, Brown, Burford, Cooper, Crowther, Freed, Hayes, Hale, Haynes, Kendall, Kneisley, Mahn, Moler, McCormick of St. Louis city, Pehle, Ragan, Saunders, Swank and Tiernan—19.

ABSENT—Messrs. Ballew, Brady, Chitwood, Cock, Dale, Foster, Gray, Gwynne, Hall, Lackland, Louthan, Maynard, Miles, McGarry, O'Malley, Pepper, Riley, Vancleve, Waggener, Weygandt, Wiley, Windes and Wisby—23.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Davis, Dawson, Dilley, Finks, Hammons, Harrington, McDaniel, McKinney, Rawlings, Settles, Souder and Withers—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Alldridge, from the Committee of Conference on Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142 and in part for No. 100, submitted the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred the consideration of the differences between the Senate and House of Representatives on House amendment No. 1 for section two of substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142 and in part for No. 100, entitled An act for the government of cities of the fourth class, beg leave to report that they have considered the same, and agreed upon the following amendment to House amendment No. 1, and recommend that it do pass:

Amend House amendment by adding the following: "Until they have, by recorded plats or sales, been reduced to tracts or lots of five acres or less;" so that said House amendment will read as follows: "All agricultural or pasture lands included in such extension to be exempt from taxation for city purposes, until they have, by recorded plats or sales, been reduced to tracts or lots of five acres or less," all of which is respectfully submitted. S. M. Lloyd, Henry Read, R. F. Lakenan, W. C. Alldridge, T. P. Bashaw, Thos. J. Crowther, Conference Committee; which was read.

The question being upon adoption of the report, the roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brewer, Bowman, Brown, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox,

Craig, Creager, Crow, Crowther, Diercks, Dodson, Drum, Ellis, Ewing, Farr, Greer, Hale, Harrigan, Harrison, Hynes, Helm, Ingram, Kendall, Kneisley, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Ragan, Reynolds, Saunders, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Weygandt, Whitaker, Wisby and Mr. Speaker—86.

NOES—Messrs. Hayes, Louthan and McKill—3.

ABSENT—Messrs. Bashaw, Brady, Burford, Chitwood, Cowan of Holt, Cowan of Christian, Dale, Dougherty, Foster, Gray, Gwynne, Hall, Haynes, Hubbard, Johnson, Knight, Lackland, Maynard, Miles, McGarry, Pepper, Pollock, Price, Riley, Smith of Cedar, Swank, Tevis, Vancleve, Wiley, Windes and Younger—31.

ABSENT WITH LEAVE—Messrs. Anderson, Berryman, Bryan, Carrol, Dade, Davis, Dawson, Dilley, Dryden, Finks, Freed, Hammons, Harrington, McDaniel, McKinney, Rawlings, Settles, Souder, Wells and Withers—20.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Cox moved to reconsider the vote by which the House refused to order Senate bill No. 272, to a third reading, April 26; which was agreed to.

Senate bill No. 272, entitled An act for the improvement of the Capitol building, State armory and supreme court building, and to appropriate money therefor; was called up.

Mr. Cox offered the following amendment:

Amend section 1, line 1, by striking out the words "fourteen thousand five hundred," and insert the words "twelve thousand;" which was read and agreed to.

The bill, as amended, was then read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Booth, Boulware, Brewer, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Coleman, Collins, Cox, Craig, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrison, Hynes, Helm, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Saunders, Settles, Smith of St. Louis city,

Spring, Swank, Talbot, Turner, Waggener, Weygandt, Wisby and Mr. Speaker—82.

NOES—Messrs. Adams, Andrews, Beckner, Bohannon, Bonham, Brown, Burford, Cloud, Cook, Cooper, Cowan of Christian, Hubbard, Ingram, Johnson, Miles, Powell, Reynolds, Tevis, Tiernan, Warren, Wells, Whitaker and Younger—23.

ABSENT—Messrs. Bowman, Brady, Campbell of Atchison, Chitwood, Cock, Cowan of Holt, Dale, Gray, Kendall, Mabrey, Moler, Mudd of St. Louis, Pepper, Pollock, Riley, Smith of Cedar, Taylor, Vancleve, Wiley and Windes—20.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Davis, Dawson, Dilley, Finks, Freed, Hammons, Harrington, McDaniel, McKinney, Rawlings, Souder and Withers—15.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The emergency clause was not adopted by the following vote :

AYES—Messrs. Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Bowman, Brewer, Bryan, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Kendall, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Maynard, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Waggener, Weygandt, Wisby and Mr. Speaker—91.

NOES—Messrs. Adams, Andrews, Beckner, Bonham, Brown, Burford, Cock, Collins, Cook, Cowan of Christian, Hubbard, Ingram, Johnson, Kneisley, Miles, Organ, Powell, Powers, Talbot, Tevis, Tiernan, Wells, Whitaker and Younger—24.

ABSENT—Messrs. Brady, Campbell of Atchison, Chitwood, Dale, Finks, Gray, Mabrey, Moler, Pepper, Pollock, Riley, Vancleve, Warren, Wiley and Windes—15.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the bill passed; and to lay his motion to reconsider on the table; which was agreed to.

Mr. Haynes, from the Committee on Engrossed Bills, submitted the following report :

MR. SPEAKER : Your Committee on Engrossed Bills would respectfully report that they have carefully examined joint and concurrent resolution No. 58, entitled Substitute for joint and concurrent resolution No. 58, and find the same truly and correctly engrossed, and that the printed copies furnished the members are correct ; which was read.

Substitute for joint and concurrent resolution No. 58 ; was taken up, read the third time, and passed by the following vote :

AYES—Messrs. Adams, Arnold, Bashaw, Berry, Berryman, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cock, Coleman, Cowan of Holt, Cox, Creager, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Gwynne, Hayes, Hale, Haynes, Hubbard, Harrigan, Helm, Kendall, Kneisley, Lackland, Lesueur, Louthan, Lynn, Mackey, Mahn, Maynard, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, Organ, Palmer, Patterson of Schuyler, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt, Wisby and Mr. Speaker—79.

NOES—Messrs. Alldridge, Andrews, Ballew, Beckner, Bohannon, Bonham, Booth, Cloud, Collins, Cook, Cooper, Cowan of Christian, Craig, Crow, Crowther, Dawson, Harrington, Harrison, Hynes, Ingram, Johnson, Knight, Larimore, Lockhart, Manistre, Morrison, McCormick of St. Louis city, McKill, Pehle, Pepper, Powell, Smith of Cedar, Whitaker and Younger—34.

ABSENT—Messrs. Bowman, Brady, Chitwood, Dale, Farr, Foster, Gray, Hall, Mabrey, Mott, O'Malley, Pollock, Riley, Saunders, Vandeeve, Warren, Wiley and Windes—18.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the resolution was read and agreed to.

Mr. Lesueur moved to reconsider the vote by which the resolution passed, and to lay his motion to reconsider on the table ; which was agreed to.

On motion of Mr. Davis, Senate substitute for Senate bill No. 87, entitled An act to revise and amend title five of the General Statutes of Missouri, concerning the assessment and collection of the revenue, was made the special order for 7½ o'clock P. M.

House bill No. 586, entitled An act to amend section one of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation by mining operations, approved April 21, 1877; was called up, with Senate amendment thereto, (said amendment having been printed.)

Amend section 1 by striking out the word "two," in fifth and tenth lines, and insert "one;" was read, and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Hale, Harrington, Harrison, Hubbard, Hynes, Helm, Kneisley, Knight, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powell, Powers, Price, Ragan, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Warren, Wells, Weygandt, Whitaker and Mr. Speaker—101.

ABSENT—Messrs. Bowman, Brady, Campbell of Atchison, Chitwood, Cowan of Christian, Dale, Gray, Haynes, Harrigan, Ingram, Johnson, Kendall, Lackland, Maynard, Miles, Moler, O'Malley, Pepper, Pollock, Riley, Swank, Tevis, Vancleve, Waggener, Wiley Windes, Wisby and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Dawson, Freed, Hammons, McIntyre, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn.

Mr. Lackland, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 364, entitled An act to repeal an act in relation to change of venue from the criminal court of St. Louis county, approved December 11, 1855, beg leave to report that they have considered the same, and recommend that it be referred to the Committee of St. Louis Delegation; which was read.

Senate bill No. 364; was taken up, and, on motion of Mr. Lackland, referred to the St. Louis Delegation.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report :

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapters 4, 6 and 8 of the General Statutes of Missouri, concerning legislative proceedings, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendments; which was read.

Senate substitute No. 1 for Senate bills Nos. 77 and 158; was taken, with the following amendments recommended by the Committee on Judiciary :

Amendment No. 1—Amend by striking out section 27 of bill; which was read and agreed to.

Amendment No. 2—Amend by striking out section 39, and inserting in lieu thereof the following :

Section 39. The Assistant Secretary of the Senate, the Assistant Chief Clerk of the House, the Engrossing Clerk and the Enrolling Clerk of the Senate, and the Engrossing Clerk and Enrolling Clerk of the House, the Official Reporter of the Senate and the Official Reporter of the House, the Chaplain of the Senate and the Chaplain of the House, shall each receive five dollars per day for their services. The Folder of the Senate and the Folder of the House shall each receive four dollars per day for their services. The Sergeant-at-Arms and Doorkeeper of the Senate and the Sergeant-at-Arms and Doorkeeper of the House, committee clerks and other clerks, shall each receive three and one-half dollars per day for their services. Pages and laborers shall each receive one and one-half dollars per day, and other employes shall each receive two dollars per day, the allowance in every case to be only for the time actually consumed in the work of the Senate and the House, as the case may be; which was read and agreed to.

Amendment No. 3—Amend by changing the numbers of sections 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, to 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39, respectively; which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Anderson, Arnold, Bashaw, Berry, Bohannon, Booth, Brady, Brewer, Brown, Bryan, Campbell of St. Louis city, Carleton, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Greer, Gwynne, Hayes, Hall, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Johnson, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart,

Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Settles, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wisby—87.

NOES—Messrs. Alldridge, Andrews, Bonham, Burford, Dawson, O'Malley and Powell—7.

ABSENT—Messrs. Ballew, Beckner, Boulware, Bowman, Swank, Campbell of Atchison, Chenoweth, Chitwood, Cock, Collins, Cowan of Christian, Dale, Farr, Gray, Hale, Hubbard, Ingram, Kendall, Mott, McCormick of St. Louis city, Pepper, Pollock, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Swank, Tevis, Vancleve, Wiley, Windes, Younger and Mr. Speaker—33.

ABSENT WITH LEAVE—Messrs. Berryman, Carroll, Dade, Davis, Dilley, Finks, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—13.

SICK—Messrs Burrows, Ham and Patterson of Linn—3.

The emergency clause was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dilley, Dodson, Dougherty, Dryden, Ellis, Ewing, Finks, Foster, Greer, Gwynne, Hayes, Hall, Haynes, Harrigan, Harrington, Harrison, Hynes, Helm, Ingram, Johnson, Kneisley, Lackland, Larimore, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Maynard, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Powers, Price, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wisby—102.

NOES—Messrs. Burford, Drum, Knight, Mott and O'Malley—5.

ABSENT—Messrs. Brady, Chenoweth, Chitwood, Collins, Cowan of Christian, Farr, Gray, Hale, Kendall, Lesueur, McCormick of St. Louis city, Pollock, Ragan, Riley, Swank, Tevis, Vancleve, Wiley, Windes, Younger and Mr. Speaker—21.

ABSENT WITH LEAVE—Messrs. Berryman, Carroll, Dade, Davis, Dawson, Freed, Hubbard, Hammons, McKinney, Rawlings, Souder and Withers—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 588, entitled An act to amend section 15 of chapter sixty-nine of the General Statutes of the State of Missouri, and find the same truly and correctly enrolled; which was read.

House bill No. 588; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 399, entitled An act to preserve the public school funds of cities and towns of this State, and find the same truly and correctly enrolled; which was read.

House bill No. 399; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

On motion of Mr. Price, the House took a recess until 7½ o'clock P. M.

EVENING SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Davis, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate substitute for Senate bill No. 87, entitled An act to revise and amend title 5 of the General Statutes of the State of Missouri, concerning the assessment and collection of the revenue,

beg leave to report the same back with the accompanying amendments without recommendation ; which was read.

Senate substitute for Senate bill No. 87, being the special order for this hour, was taken up with the amendments recommended by the Committee on Ways and Means.

On motion of Mr. Farr, the House resolved itself into a Committee of the Whole for the purpose of considering the bill and amendments.

Mr. Farr in the chair.

On motion of Mr. McIntyre, the committee rose.

The Speaker took the chair and called the House to order.

Mr. Farr, chairman of the Committee of the Whole, reported progress, and asked leave to sit again to-morrow at 9 o'clock A. M.; which was granted.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND SEVENTH DAY—FRIDAY, May 16, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Farr the further reading was dispensed with.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 647, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter to be numbered section 6, and find the same truly and correctly enrolled; which was read.

House bill No. 647; was taken up, read at length by the Clerk, and signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report :

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 657, entitled An act for the relief of Thomas Wallace, and to appropriate money therefor, and find the same truly and correctly enrolled ; which was read.

House bill No. 657; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Messrs. Knight, Reynolds, Mott and Wiley were reported sick.

On motion of Mr. Davis, the House resolved itself into a Committee of the Whole, for the purpose of considering Senate substitute for Senate bill No. 87, entitled An act to revise and amend title 5 of the General Statutes of Missouri, concerning the assessment and collection of the revenue.

Mr. Farr in the chair.

On motion of Mr. Davis, the committee rose.

The Speaker *pro tem.* took the chair and called the House to order.

Mr. Farr, chairman of the Committee of the Whole, reported the bill back to the House with amendments, with the recommendation that the bill as amended do pass.

The Speaker *pro tem.* laid before the House the following communication from the State Auditor :

CITY OF JEFFERSON, May 16, 1879.

Hon J. ED. BELCH, Speaker House of Representatives :

SIR—In compliance with House resolution of May 7, 1879, as follows :

"*Resolved*, That the State Auditor and State Treasurer are hereby requested to submit, at their earliest practical moment, their separate statements respecting the treasury, showing :

"*First*—The actual expenditures during this year to the first of May, and the estimated expenditures for the residue of this year, which may be required by existing laws.

"*Second*—The amount of money received into the treasury, in the interest and revenue fund separately, during this year to May first, and the estimated receipts for the residue of the year ; also the actual balance of cash in the treasury on the first of January last," I have the honor to report the following, viz :

REVENUE FUND.

By balance January 1, after paying all outstanding warrants.....		\$120,224 98
By receipts from January 1 to May 1.....		679,492 19
To transfer to school moneys	\$328,255 18	
To warrants issued from January 1 to May 1.....	499,180 43	
By warrants in excess of receipts.....		27,718 44
Totals.....	\$827,435 61	\$827,435 61
To warrants in excess of receipts May 1.....	\$27,718 44	

In order to obtain an exhibit of expenditures of these two years, as compared with the last two, out of revenue fund, the following is submitted, viz :

By expenditures out of revenue fund for 1877 and 1878, (See page 127, Auditor's report).....		\$2,086,625 49
To general appropriation for 1879 and 1880, approved March 24, 1879.....	\$1,885,830 35	
To appropriation to rebuild Asylum No. 2.....	75,000 00	
To supplemental appropriation, approved May 13.....	87,587 50	
To deficiency, approved May 14.....	78,330 92	
To appropriation to pay interest on revenue bonds.....	30,000 00	
To lithographing bonds.....	500 00	
To special appropriations, estimated.....	1,500 00	
To appropriations for fish culture.....	6,000 00	
By excess appropriated for these two years as compared with expenditures of last two years.....		78,123 28
Totals.....	\$2,164,748 77	\$2,164,748 77
To excess in appropriations.....	\$78,123 28	

The above does not include transfers to school moneys.

STATE INTEREST FUND.

By balance, January 1.....		\$156,039 79
By receipts to May 1.....		606,004 19
To warrants and March interest on \$900,000 school certificate.....	\$57,660 00	
To balance, May 1.....	704,383 98	
Totals.....	\$762,043 98	\$762,043 98

The following table shows the balances in the revenue and interest funds on January 1, 1879, the receipts and disbursements to May 1, and the estimated receipts and disbursements of the two funds for these two years:

By balance in revenue fund Jan 1.....		\$120,224 98
By receipts in revenue fund from January 1 to May 1.....		679,492 69
By estimated receipts in revenue fund from May 1 to January 1, 1880, from all sources.....		553,000 00
By estimated receipts in the revenue fund in 1880 on \$554,000,000 taxable property.....		1,108,000 00
By estimated receipts in revenue fund in 1880 from licenses.....		200,000 00
By estimated receipts in revenue fund in 1880 from corporation tax and fees.....		16,000 00
By balance in interest fund January 1.....		156,039 79
By receipts in interest fund from January 1 to May 1.....		606,004 19
By estimated receipts in interest fund from May 1 to January 1, 1880, from all sources.....		498,000 00
By estimated receipts in interest fund in 1880 on \$554,000,000 taxable property.....		1,108,000 00
By estimated licenses in 1880 in this fund.....		50,000 00
To transfer to school moneys from revenue fund in March last.....	\$328,255 18	
To warrants drawn on revenue fund from January 1 to May 1.....	499,180 43	
To deficiency appropriation, approved May 14.....	78,330 92	
To rebuilding Asylum No. 2.....	75,000 00	
To supplemental appropriation, approved May 13.....	87,587 50	
To interest on renewal revenue bonds.....	30,000 00	
To lithographing bonds.....	500 00	
To special appropriations, estimated.....	1,500 00	

STATE INTEREST FUND -Continued.

To current expenses for eight months of this year, being from May 1 to January 1, 1880.....	516,000 00	
To current expenses for 1880.....	773,931 67	
To estimated transfer to school moneys in March, 1880...	328,255 18	
To interest on public debt for two years out of interest fund, appropriated.....	2,010,960 00	
To payment of bonds in the two years pursuant to Constitution and appropriation.....	500,000 00	
To appropriation for fish culture.....	6,000 00	
Balance		\$140,739 43
Totals.....	\$5,235,500 88	\$5,235,500 88
Estimated deficiencies January 1, 1881.....	\$140,739 43	

The foregoing does not include \$60,000 for support of the penitentiary, nor \$40,000 for improvements and repairs of same. A part, however, of the \$40,000 will be required. Nor does it embrace the \$13,850 for repairs of the State House, Court House and Armory. These are left out of the estimate, to offset any amounts of the appropriations which may not be drawn out.

While the expenditures of these two years will be about the same as during 1877 and 1878, it must be borne in mind that the resources are not so great. There was borrowed on sale of revenue bonds \$250,075, and placed in the revenue fund.

The taxable property of the State is now \$55,973,317 smaller than then, which will make a reduction in taxes from that source, of \$223,893.26 a year, or \$447,786.53 in two years, allowing nothing for commissions for collecting or delinquencies. Besides, there was a larger amount of back taxes collected then than will be now, and which contributes to the balance of \$120,224.98 in the revenue fund, and \$156,039.79 in the interest fund, on January 1st, making a total of \$276,264.77 to commence with this year; whereas, on January 1, 1881, there will be, if the foregoing estimates are correct, a deficiency of \$140,739.43; to which add the said \$276,264.77, on January 1, which will make a difference January 1, 1881, as compared with January 1, 1879, of \$417,004.20.

I have not allowed anything for commissions for collecting the taxes, nor for delinquent taxes; estimating that the receipts from the back taxes will probably cover them.

It is estimated that the outstanding warrants on January 1 next, over the receipts will be \$220,000, consequently it will be utterly impossible for the Treasurer to keep the warrants paid up. At no time within these two years can the Treasurer catch up in payment of warrants on the revenue fund. The interest on the public debt and \$500,000 of the bonds will be promptly met, for if the interest fund for that purpose should be short, it will be made up out of the revenue fund, pursuant to the constitution.

Very respectfully,

THOMAS HOLLADAY,

State Auditor.

Which was read.

On motion, the report was referred to the Committee on Ways and Means, and 250 copies were ordered printed.

The following message was received from the Governor, through his Private Secretary, Mr. Yost :

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 16, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles :

An act for the relief of Julia L. Ivie, and to appropriate money therefor ;

An act to provide for obtaining certain statistical information, and the publication of the same ;

An act to provide for filling the office of recorder of deeds, in all counties wherein such office has been separated from the office of county clerk ;

An act to amend an act entitled An act to revise and amend the laws in relation to public schools in cities, towns and villages, approved April 26th, 1877.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Hall, from the Committee of Conference on substitute for House bills Nos. 153, 372 and 437, submitted the following report :

JEFFERSON CITY, May 15, 1879.

To the Speaker of the House of Representatives:

Your Committee of Conference, to whom was referred substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, etc., beg leave to report that they have considered the same, and recommend that the House adopt the Senate amendment thereto, as follows :

Amend by striking out all of section 12, and insert the following in lieu thereof:

Section 12. Each inspector shall be entitled to demand and receive from the owner or person calling upon him to inspect, or for whom he shall make any inspection, fees at the following rates: For inspecting or testing, gauging and branding said oils or fluids under this act, to-wit: for each barrel or larger package, the sum of twelve (12) cents, for each small package the sum of six (6) cents, and when an inspection in bulk is made, in the manner provided in section five (5) of this act, the sum of twelve (12) cents, for each barrel or other package filled, gauged and branded according to the provisions of said section.

Geo. W. Hall, Nat M. Gwynne, J. P. Bashaw, M. H. Phelan, T. H. Parrish, D. H. Naylor; which was read.

The question being upon the adoption of the report,

The roll was called, and the report was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Creager, Craig, Crow, Crowther, Dale, Davis, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Johnson, Kendall, Kneisley, Knight, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tiernan, Waggener, Warren and Weygandt—100.

NOES—Mr. Wells—1.

ABSENT—Messrs. Ballew, Bowman, Chitwood, Coleman, Dawson, Dilley, Farr, Hynes, Helm, Ingram, Larimore, Lesueur, Manistre, Maynard, Pollock, Powell, Tevis, Turner, Vancleve, Whitaker, Windes, Wisby, Younger and Mr. Speaker—24.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham, Mott, Patterson of Linn, Patterson of Schuyler, Reynolds and Wiley—7.

Leave of absence was granted Mr. Chitwood for the remainder of the session on account of sickness.

Messrs. Patterson of Schuyler and Larimore were reported sick.

Senate substitute for Senate bill No. 87, entitled An act to revise and amend title 5 of the General Statutes, concerning the assessment and collection of revenue; was taken up, with the amendments recommended by the Committee of the Whole.

Mr. Haynes offered as a substitute for the bill and amendments, the revenue law of 1877.

Mr. Davis moved that the substitute be rejected; which was agreed to.

Amendment No. 1, reported by the Committee on Ways and Means: Amend section 3 by striking out the words "for State purposes," in line 1, and by striking out the following words, in lines 24 and 25, viz: "All libraries and their furniture and equipments, belonging to any literary association or society;" was read.

Mr. Belch moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Booth, Brady, Cooper, Craig, Crow, Crowther, Dodson, Dryden, Foster, Greer, Gwynne, Hayes, Hall, Haynes, Harrigan, Harrington, Kendall, Lackland, Louthan, Mahn, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McGarry, McKill, O'Malley, Pehle, Phelan, Ragan, Saunders, Smith of St. Louis city, Talbot, Tiernan, Wells and Mr. Speaker—38.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Ellis, Ewing, Finks, Gray, Hale, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Miles, Morrison, McCormick of Washington, McElvain, McIntyre, Organ, Palmer, Pepper, Pollard, Powers, Price, Riley, Smith of Cedar, Spring, Swank, Taylor, Turner, Waggener, Warren, Weygandt, Whitaker, Wisby and Younger—75.

ABSENT—Messrs. Ballew, Bowman, Campbell of St. Louis city, Chitwood, Farr, Maynard, Pollock, Powell, Settles, Tevis, Vancleve and Windes—12.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler, Reynolds and Wiley—9.

On motion of Mr. Foster, the House resolved itself into a Committee of the Whole, for the further consideration of Senata substitute for Senate bill No. 87.

Mr. Farr in the chair.

On motion of Mr. Davis, the committee rose.

The Speaker *pro tem.*, took the chair, and called the House to order.

Mr. Farr, Chairman of the Committee of the Whole, reported the bill back to the House with amendments, with the recommendation that the bill as amended do pass.

Senate substitute for Senate bill No. 87; was taken up, with the following amendments recommended by the Committee of the Whole.

Mr. Davis moved the previous question; the ayes and noes being demanded, the main question was ordered by the following vote;

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Dale, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Hayes, Hale, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, McCormick of Washington, McElvain, McIntyre, McKill, O'Malley, Pepper, Powers, Price, Riley, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Whitaker, Windes, Withers and Younger—83.

NOES—Messrs. Booth, Campbell of St. Louis city, Crowther, Dodson, Foster, Gwynne, Hall, Haynes, Lackland, Louthan, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McGarry, Phelan, Ragan, Saunders, Settles, Tiernan and Weygandt—21.

ABSENT—Messrs. Ballew, Bonham, Bowman, Brady, Brown, Chitwood, Cooper, Crow, Dawson, Farr, Harrington, Maynard, Organ, Palmer, Pehle, Pollock, Pollard, Powell, Smith of St. Louis city, Vancleve, Wisby and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings and Souder—8.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler, Reynolds and Wiley—9.

Amendment No. 1—Amend section 3 by striking out the words "for State purposes," in line 1, and by striking out the following words, in lines 24 and 25, viz: "All libraries and their furniture and equipments, belonging to any literary association or society," and

strike out in line 27 of said section the words, "local or municipal;" was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was agreed to by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Anderson, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Brewer, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Gray, Greer, Hayes, Harrigan, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Taylor, Turner, Waggener, Warren, Weygandt, Whitaker and Younger—90.

NOES—Messrs. Foster, Hale, Harrington, Mudd of Lincoln, Talbot and Wells—6.

ABSENT—Messrs. Ballew, Bowman, Brady, Brown, Bryan, Burford, Campbell of St. Louis city, Chitwood, Cox, Dale, Dawson, Dodson, Finks, Gwynne, Hall, Haynes, Ingram, Lackland, Maynard, Mudd of St. Louis, Pehle, Pollock, Powell, Tevis, Tiernan, Vancleve, Windes, Wisby and Mr. Speaker—29.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler, Reynolds and Wiley—9.

Amendment No. 2—Amend section 26 of printed bill by striking out line 20, and insert in lieu thereof the following, viz.:

First—A list of all real estate for those years in which the real estate is assessed. Further amend section 26 by striking out the sixth, seventh, eighth and ninth subdivisions, and insert in lieu thereof the following:

Sixth—Money deposited in any bank or other safe place, and the name of the bank or banks in which deposited.

Seventh—A detailed statement of all solvent notes unsecured by mortgage or deed of trust, the name of the maker or makers of each note, the amount of each note separately, the rate of interest each note bears, and when the note is due.

Eighth--A detailed statement of all solvent notes secured by mortgage or deed of trust, the name of the maker or makers of the notes, the amount of each note separately, the rate of interest each note bears, and when the note is due; was read and agreed to.

Amendment No. 3.--Amend section 47 by inserting after the word "assessed," in the last line, the following, viz.: Provided the county court of any county may make an order of record, directing the county assessors to list lands to the owners alphabetically, instead of by numbers, sections, ranges and townships; was read and agreed to.

Amendment No. 4--Amend section 52 of printed bill by adding after the words "or other personal property," in line 20, the following: The assessor shall assess and value all notes, bonds and evidences of debt returned and listed by any person, at their fair cash value, and the county board of equalization shall, at each session thereof, carefully examine and compare the lists of such notes, bonds, and evidences of debts, and valuations placed thereon by the assessor, and raise or decrease such valuation made by the assessor, if in the judgment of such board the same have not been properly assessed at their cash value, and to that end may send for persons and papers, and issue attachments against persons refusing to appear, and produce books and papers, and the sheriff of the county shall, upon the order of the board, serve notices and subpoenas and bring parties before such board; was read and agreed to.

Amendment No. 5--Strike out section 154; was read and agreed to.

Amendment No. 6--Amend section 160 by striking out all after the word "unpaid," in line 4; was read and agreed to.

Amendment No. 7--Strike out sections 161, 162, 163, 164, 165, 166 and 167; was read and agreed to.

Amendment No. 8--Strike out all after the word "block," in line 5 in section 170; was read and agreed to.

Amendment No. 9--Strike out sections 171 and 172; was read and agreed to.

Amendment No. 10--Strike out section 197; was read and agreed to.

Amendment No. 11--Amend section 198 by striking out the words "at the relation and to the use of the collector," in lines 2 and 3, printed bill; was read and agreed to.

Amendment No. 12--Amend section 201, line 26, printed bill, by inserting after the word "court," in said line, these words, "or which has been by the Supreme Court of this State pronounced valid;" was read and agreed to.

Amendment No. 13—Strike out sections 212, 213 and 214; was read and agreed to.

Amendment No. 14—Amend second 215 by striking out after the word "assessed," in line 3, down to and including the word "paid," in line 13; was read and agreed to.

Amendment No. 15—Amend section 217 by striking out all after the word "aforesaid," in line 5; was read and agreed to.

Amendment No. 16—Strike out sections 219, 220, 221, 222, 223, 234 and 237; was read and agreed to.

Amendment No. 17—Amend by striking out sections 148, 149, 150, 151 and 152, and insert in lieu thereof the following, to be known as subdivision twelfth of section 147:

Twelfth—In all counties or cities wherein the total amount of all such taxes and licenses levied for any one year exceeds three hundred and fifty thousand dollars, the collector of revenue shall receive, collect and retain as full compensation for his services for collecting all revenues and other dues which he is authorized to collect, belonging to the State, schools, county and city, the following commissions, viz.: On current and railroad tax revenue tax as follows: On all sums collected up to and including eighty per cent. of the total amount of such tax bills placed in his hands, one-half of one per cent. commission; on all sums collected over eighty per cent., and up to and including nine-five per cent., one per cent. commission; on all sums collected over ninety-five per cent., two per cent. commission; on licenses and all other dues, except delinquent back taxes collected in any year, as follows: when the amount collected for the city aggregates eight hundred thousand dollars or less, two and one-half per cent. commission; on all licenses and other dues collected for the city in excess of eight hundred thousand dollars, four per cent. commission; on all such licenses collected for the State, three per cent. commission; all such commissions hereinbefore enumerated shall be deducted and retained by such collector out of the amounts collected for State, school, county and city, respectively, and upon settlement with such collector, shall be credited to his account, and charged to the respective revenue accounts; on all back taxes, and all other delinquent taxes, he shall be allowed a commission of two per cent., which shall be added to the face of the tax bill, and be collected from the party paying such taxes, as a penalty, in the same manner as other penalties are collected and enforced. The said collector shall pay all the salaries and other expenses of his office, and all other cost of collecting the respective revenues: Provided, that the municipal authorities of such cities may limit the maximum number of, and maximum salaries to be paid to all employees of the collector, and may otherwise reasonably

limit the expenditures of his office, and the cost of collecting the revenue. The collector shall make settlements annually on the first Monday of March, and at the expiration of his term of office, with the proper officers of the city, for all commissions retained, and all commissions hereinbefore allowed shall be computed for the year or part of year next preceding the dates of such settlements; said collector shall present for allowance proper vouchers for all disbursements made by him on account of salaries and expenses of his office, and other costs of collecting the revenues, which shall be allowed to him as against the commissions retained by him, and out of the residue of such commissions in his hands, after deducting the amount of such vouchers allowed, he shall be allowed and authorized to retain so far as the said residue of such commissions in his hands will permit, a compensation at the rate of ten thousand dollars per annum; should such residue of commissions be less than sufficient to cover the above compensation, then the entire residue shall be allowed to him, and shall be in full payment for all his services; if, however, such residue is more than sufficient to cover such compensation, then the surplus shall be paid over to the State schools, county and city, in proportion as the amount collected from each, bears to the total amount of collection: *Provided*, that this act shall not be construed as repealing the law requiring the collector to deposit daily in the city treasury, all moneys collected for the city, or the law requiring him to deposit weekly with the State treasurer, all revenue collected for the State. Collectors of revenue under this subdivision shall keep at all times in their office, a notary public, who shall administer oaths and take notarial acknowledgments in connection with such office, without charge. All fees, commissions or other compensation heretofore charged, received or allowed by or to any such collector as compensation for his services, whether under or by virtue of State law or not, are hereby abolished, and such collector, and all his deputies and employes, are hereby forbidden, under penalty of forfeiture of office, to collect, charge or receive, directly or indirectly, any fees or commissions in the nature of compensation, or other compensation other than those allowed and authorized by this act; was read and agreed to.

Amendment No. 18—Amend section 194 as follows: Insert after the word, "State," in line two of printed bill, the following: "Where said back tax books have not already been made;" was read and agreed to.

Amendment No. 18—Amend section 63 by adding thereto the following: "Provided, that in counties having more than fifteen millions assessed valuation of property, the assessor shall extend the taxes, and make out the tax bills in the manner required in this sec-

tion, and shall receive therefor the same compensation as provided by law for the payment of clerks of the county court for the performance of the like service in all other counties in this State;" was read and agreed to.

Amendment No. 20—Amend section 54 by striking out all of said section before the word "if," in line 6 of the printed bill; was read and agreed to.

Amendment No. 21—Amend section 202 by striking out the word "sums," in the 8th line line, and insert in lieu thereof the words, "back taxes," and by striking out all between the word "tract," in line 11, and the word "to" in line 12; was read and agreed to.

Amendment No. 22—Amend by striking out section 244; was read and agreed to.

Amendment No. 23—Amend section 202 by striking out the following words in lines 6 and 7, printed bill, to wit: "As is allowed sheriffs for collecting money under execution from courts of record," and insert in lieu thereof the following words, "four per centum for collecting delinquent and back taxes;" was read and agreed to.

Amendment No. 24—Amend section 202 by striking out the word "three," and insert in lieu thereof the word "ten," in line 11, printed bill; was read and agreed to.

Amendment No. 25—Amend section 235 by striking out the following words in lines 7, 8, 9, 10 and 11 of the printed bill: "For the use of the collector, including certificate and seal to same, for every one hundred words ten cents, provided that each group of figures constituting a single number or quantity, shall be counted as one word, one half to be paid by the State, the other half by the county;" was read and agreed to.

Amendment No. 26—Amend section 65 by striking out the word "ten," and insert in lieu thereof the word "five," in line 6 of printed bill; was read and agreed to.

Amendment No. 27—Amend section 4, line 14, printed bill, by striking out all after the word "produced," down to and including the word "taxation," in line 16; was read and agreed to.

Amendment No. 28—Amend by striking out section 141; was read and agreed to.

Amendment No. 29—Amend section 14 by adding to the section the following: "Third—They shall add to or deduct from the real estate any increase or decrease for improvements, as returned by the assessor;" was read and agreed to.

Amendment No. 30—Amend section 56 by adding after the word "aforesaid," in line 10, the following words: "Should such person, company or corporation fail or refuse to cause such lands to be surveyed,

and a plat thereof made, it shall be the duty of the county court to cause the same to be done at the cost of the party owning such lands;" was read and agreed to.

Amendment No. 31—Amend section 195 by striking out the word "ten," in line 11, printed bill, and insert the word "twelve;" was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Dale, Davis, Dawson, Piercks, Dilley, Dougherty, Drum, Ellis, Finks, Gray, Hayes, Hale, Harrigan, Harrison, Hubbard, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, McCormick of Washington, McIntyre, Organ, Palmer, Pepper, Pollard, Powers, Price, Riley, Smith of Cedar, Spring, Swank, Taylor, Turner, Waggener, Warren, Whitaker, Windes, Wisby and Younger—72.

NOES—Messrs. Bashaw, Booth, Bowman, Brady, Campbell of St. Louis city, Cock, Cooper, Cowan of Christian, Craig, Crow, Crowther, Dodson, Dryden, Ewing, Farr, Foster, Greer, Gwynne, Hall, Haynes, Harrington, Hynes, Lackland, Louthan, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Pehle, Phelan, Ragan, Saunders, Smith of St. Louis city, Talbot, Tiernan, Wells, Weygandt and Mr. Speaker—47.

ABSENT—Messrs. Chitwood, Maynard, Pollock, Powell, Settles, Tevis and Vancleve—7.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McKinney, Rawlins, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Schuyler, Patterson of Linn, Reynolds and Wiley—9.

The emergency clause was not adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Dale, Davis, Dawson, Diercks, Dilley, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Gray, Hayes, Hale, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kendall, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Moler, Morrison, McCormick of Washington, McIntyre, McKill, Organ, Palmer, Pepper, Pollard, Powers, Price, Riley, Smith of Cedar, Spring, Swank,

Taylor, Turner, Waggener, Warren, Weygandt, Whitaker, Windes, Wisby and Younger—75.

NOES—Messrs. Booth, Bowman, Brady, Campbell of St. Louis city, Cock, Cooper, Cowan of Christian, Craig, Crow, Dodson, Foster, Greer, Gwynne, Haynes, Harrington, Lackland, Louthan, Mahn, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, McElvain, McGarry, O'Malley, Pehle, Ragan, Saunders, Talbot, Tiernan and Wells—32.

ABSENT—Messrs. Andrews, Bashaw, Chenoweth, Chitwood, Crowther, Farr, Hall, Harrigan, Maynard, Miles, Phelan, Pollock, Powell, Settles, Smith of St. Louis city, Tevis, Vancleve and Mr. Speaker—18.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler, Reynolds and Wiley—9.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the report of the Committee of Conference on substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142, and in part for No. 100, entitled An act for the government of cities of the fourth class;

Also, that the Senate has adopted the report of the Conference Committee on substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils, etc.;

Also, that the Senate has taken up and concurred in all of the House amendments to bills of the following titles, to-wit: Substitute for Senate bill No. 262, entitled An act to establish a bureau of labor statistics; Senate bill No. 272, entitled An act for the improvement of the capitol building, State armory, and supreme court building, and to appropriate money therefor; substitute No. 1 for that part of Senate bill No. 69 included under chapter 70, title 24 of the General Statutes of Missouri, entitled An act for the incorporation of benevolent, religious, scientific and educational associations, and of miscellaneous associations; substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange and negotiable promissory notes, and Senate bill No. 192, entitled An act in relation to the formation of new counties, and to provide for the apportionment and pay-

ment of the liabilities of counties affected by the alteration of the county boundaries;

Also, that the Senate has taken up and amended House amendment No. 1, concurred in amendments Nos. 2, 4 and 6, and refused to concur in amendments Nos. 3 and 5 to substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri, and request the House to concur in the Senate amendment and recede from its amendments Nos. 3 and 5;

Also, that in compliance with the request of the House, the President of the Senate has appointed Senators Murray, Bradley and Lloyd to act with Messrs. Wells, Finks and Bryan, as a Committee of Conference to consider substitute for Senate bills Nos. 65 and 287, entitled An act to amend an act to provide for the support of the poor; which was read.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 586, entitled An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation by mining operations, approved April 21, 1877, and find the same truly and correctly enrolled; which was read.

House bill No. 586; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.* without objections, and presented by the Chief Clerk to the Governor.

On motion of Mr. Price, the House took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.*, Campbell, in the chair.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32 of the General Statutes of

Missouri, concerning salaries and fees, beg leave to report that they have considered the same, and report the same back with the accompanying amendments without recommendation; which was read.

Senate substitute No. 1 for Senate bill No. 67; was taken up, with the following amendments recommended by the Committee on Ways and Means:

Amendment No. 1—Amend section 31, line 5 of printed bill, by striking out the words "two thousand dollars," and inserting the words "two thousand five hundred dollars" in lieu thereof; which was read, and not agreed to.

Amendment No. 2—Amend section 31, line 9 of printed bill, by striking out the word "seventeen," and inserting the word "twenty-two" in lieu thereof; which was read, and not agreed to.

Amendment No. 3—Amend section 31, line 14 of printed bill, by striking out the words "fifteen hundred dollars," and inserting the words "two thousand dollars," in lieu thereof; which was read and not agreed to.

Amendment No. 4—Amend section 31, line 15, printed bill, by striking out the words "seven hundred and fifty," and inserting the words "one thousand" in lieu thereof; which was read.

Mr. Booth offered the following substitute for the amendment:

Amend section 31 by striking out the words "seven hundred and fifty," in line 15, printed bill, and insert in lieu thereof the words "fifteen hundred;" which was read and not agreed to.

The question recurring upon agreeing to the amendment, it was not agreed to.

Amendment No. 5—Amend section 31, line 18 of printed bill, by striking out the words "twelve hundred and fifty," and inserting the words "fifteen hundred" in lieu thereof; which was read and not agreed to.

Amendment No. 6—Amend section 31, line 19, printed bill, by striking out the word "six," and inserting the word "eight" therefor; which was read, and not agreed to.

Amendment No. 7—Amend section 31, line 21, printed bill, by striking out the word "fifteen," and inserting the word "twelve" in lieu thereof; which was read and not agreed to.

Amendment No. 8—Amend section 31, line 25 of printed bill, by striking out the word "ten," and inserting the word "twelve" therefor; which was read and not agreed to.

Amendment No. 9—Amend section 36 of printed bill as follows: Strike out in lines 12 and 13 the words, "to be paid by said city or county treasurer in monthly installments," and strike out lines 18,

19 and 20, and insert the words, "to be paid out of the fees of the office;" which was read.

Mr. Wells offered the following substitute for the amendment:

Amend section 36 by striking out all of said section after the word "exceeding," in line 11, printed bill, and insert in lieu thereof the following: "thirty-five hundred dollars per annum for his salary and services as such clerk, to be retained out of the fees of his office. In all such cities or counties the clerk of such court shall have the right to select and appoint as many deputies, subject to the approval of the court, as may be necessary to perform the duties of his office, and shall fix the compensation of such deputies not exceeding the sum of five thousand dollars in the aggregate, which deputy hire shall be paid out of the fees of the office." And further amend said section by striking out the words, "five thousand," in line 6 of the printed bill, and insert in lieu thereof the following words: "four thousand;" which was read and agreed to.

Amendment No. 10—Amend section 44, printed bill, as follows: Strike out the words and figures, "15 cents," and insert the words and figures, "10 cents," in line 6, and add to said line the following: "Provided, that for copy of field notes made for any county in this State, only 5 cents shall be charged for every hundred words and figures;" which was read and agreed to.

Mr. Mabrey offered the following amendment:

Amend section 31, line 28, printed bill, by striking out the words, "eight hundred," and insert "twelve hundred;" which was read and agreed to.

Mr. Powers offered the following amendment:

Amend by striking out in lines 25 and 26, in section 31 of printed bill, "one thousand," and insert "twelve hundred;" which was read.

Mr. Dawson offered the following substitute for the amendment:

Amend section 31 by inserting "five hundred" after "thousand," in line 26; which was read and not agreed to.

The question recurring upon agreeing to the amendment; it was agreed to.

Mr. Bashaw offered the following amendment:

Amend section 7 by adding thereto the following: For examining and approving or rejecting every settlement of administrators, executors or guardians, 50 cents; for hearing and determining every cause submitted to him for trial, 50 cents; for examining and approving or rejecting every inventory, appraisement, sale bill or bond of any executor, administrator or guardian, 50 cents: Provided, that nothing in this section shall be so construed as to authorize judges of probate to affix a certificate and seal to any document, showing that

the same has been recorded, and make a charge therefor, unless such certificate is expressly required by law; which was read and agreed to.

Mr. Dilley offered the following amendment:

Amend section 31 of printed bill by striking out "eleven hundred dollars," in line 22, and insert in lieu thereof "twelve hundred and fifty dollars;" and further amend said section by striking out the words, "five hundred," in 23d line, and insert in lieu thereof "six hundred;" which was read.

Mr. Anderson moved the previous question.

The ayes and noes being demanded, the previous question was not ordered by the following vote:

AYES—Messrs. Anderson, Arnold, Ballew, Berry, Bonham, Boulware, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chilton, Cook, Cowan of Holt, Dale, Diercks, Dougherty, Drum, Ewing, Gwynne, Kneisley, Lockhart, Lynn, Mackey, Manistre, Miles, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McIntyre, Organ, Pepper, Powers, Price, Reynolds, Spring, Swank, Talbot, Taylor, Waggener, Warren and Wells—44.

NOES—Messrs. Adams, Alldridge, Andrews, Bashaw, Beckner, Berryman, Bohannon, Booth, Bowman, Brady, Campbell of St. Louis city, Carleton, Cloud, Cock, Coleman, Collins, Cooper, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Dodson, Ellis, Farr, Finks, Foster, Gray, Greer, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Lackland, Lesueur, Louthan, Mabrey, Mahn, McDaniel, McElvain, McGarry, McKill, Palmer, Pehle, Phelan, Ragan, Riley, Saunders, Tevis, Turner, Weygandt, Whitaker and Wisby—59.

ABSENT—Messrs. Chenoweth, Chitwood, Cowan of Christian, Dilley, Hale, Harrigan, Ingram, Johnson, Kendall, Maynard, Morrison, O'Malley, Pollock, Pollard, Powell, Settles, Smith of Cedar, Smith of St. Louis city, Tiernan, Vancleve, Windes, Younger and Mr. Speaker—23.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Dryden, Freed, Hammons, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—8.

Mr. Gray offered the following substitute to amendment offered by Mr. Dilley;

Amend section 31, line 22, by striking out the words "eleven hundred," and inserting in lieu thereof the words "one thousand;" which was read and not agreed to.

The question recurring upon agreeing to the amendment, it was not agreed to.

Mr. Dawson offered the following amendment:

Amend section 31 by striking out "seven hundred and fifty," in line fifteen, and inserting "one hundred," in lieu thereof; which was read.

Mr. Davis moved to lay the amendment on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote:

AYES—Messrs. Arnold, Berryman, Bowman, Carleton, Davis, Dawson, Dilley, Lackland and Swank—9.

NOES—Messrs. Adams, Alldridge, Anderson, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Dryden, Ewing, Finks, Gray, Greer, Hayes, Harrington, Harrison, Hubbard, Hynes, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Talbot, Taylor, Tevis, Turner, Warren, Weygandt, Whitaker and Wisby—92.

ABSENT—Messrs. Andrews, Brewer, Chitwood, Ellis, Farr, Foster, Gwynne, Hall, Hale, Haynes, Harrigan, Helm, Kendall, Maynard, Miles, O'Malley, Pollock, Powell, Smith of St. Louis city, Tiernan, Vancleve, Waggener, Wells, Windes, Younger and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Knight, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—7.

The question recurring upon agreeing to the amendment, it was not agreed to.

Mr. Haynes offered the following amendment:

Amend by adding a new section: This act shall not take effect as to clerks of courts of record, until after the expiration of the term for which said clerks were elected at the general election in 1878; which was read.

Mr. McIntyre moved the previous question.

The ayes and noes being demanded, the previous question was not ordered by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Chenoweth, Cloud, Coleman, Collins, Cook, Cowan of Holt, Creager, Crowther, Dale, Diercks, Dodson, Drum, Dryden, Ewing, Foster, Gray, Greer, Gwynne, Harrison, Hubbard, Ingram, Kneisley, Lockhart, Mackey, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Pehle, Pepper, Pollard, Price, Reynolds, Settles, Smith of Cedar Spring, Swank, Talbot, Taylor, Tiernan, Turner, Wells, Whitaker and Mr. Speaker—67.

NOES—Messrs. Arnold, Bashaw, Berryman, Booth, Bowman, Carleton, Chilton, Cock, Cowan of Christian, Cox, Craig, Crow, Davis, Dawson, Dilley, Dougherty, Ellis, Farr, Finks, Hayes, Hall, Haynes, Harrington, Hynes, Helm, Lackland, Lesueur, Louthan, Mabrey, Mahn, Morrison, McDaniel, Ragan, Saunders and Wisby—35.

ABSENT—Messrs. Andrews, Campbell of St. Louis city, Chitwood, Cooper, Hale, Harrigan, Johnson, Kendall, Lynn, Maynard, Miles, O'Malley, Phelan, Pollock, Powell, Powers, Riley, Smith of St. Louis city, Tevis, Vancleve, Waggener, Warren, Weygandt, Windes and Younger—25.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—8.

The question being upon agreeing to the amendment, it was not agreed to.

Mr. Davis offered the following amendment:

Add a new section to be known as section 48, to read as follows: Section 48. The salary of the Governor shall be three thousand dollars per year; the salary of the Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Schools, each two thousand dollars per year; which was read.

The question being upon agreeing to the amendment, the ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Arnold, Bashaw, Berryman, Bowman, Bryan, Chilton, Cloud, Cock, Cowan of Christian, Craig, Davis, Drum, Dryden, Farr, Finks, Foster, Greer, Hall, Haynes, Harrington, Hubbard, Helm, Ingram, Johnson, Lackland, Louthan, Mahn, Reynolds, Swank, Taylor, Turner, Wisby and Younger—33.

NOES—Messrs. Adams, Alldridge, Anderson, Ballew, Beckner, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Brown, Bur-

ford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Coleman, Collins, Cook, Cowan of Holt, Cox, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dougherty, Ewing, Gwynne, Hayes, Harrigan, Harrison, Hynes, Kneisley, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Manistre, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Warren, Wells, Weygandt and Whitaker—71.

ABSENT—Messrs. Andrews, Berry, Chitwood, Cooper, Dilley, Dodson, Ellis, Gray, Hale, Kendall, Maynard, Miles, O'Malley, Pehle, Pollock, Powell, Saunders, Tiernan, Vancleve, Waggener, Windes and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—8.

The bill, as amended, was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Ballew, Berry, Bohnannon, Bonham, Booth, Boulware, Brady, Brown, Bryan, Burford, Campbell of Atchison, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Creager, Crow, Crowther, Dale, Diercks, Dodson, Dougherty, Drum, Ewing, Finks, Foster, Gray, Greer, Harrington, Harrison, Hynes, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Phelan, Powers, Price, Ragan, Reynolds, Riley, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Whitaker and Younger—79.

NOES—Messrs. Arnold, Berryman, Campbell of St. Louis city, Carleton, Cock, Cooper, Cox, Craig, Davis, Dawson, Dilley, Dryden, Farr, Gwynne, Hayes, Hall, Hubbard, Helm, Lackland, Manistre, McCormick of St. Louis city, Saunders, Swank, Weygandt and Wisby—25

ABSENT—Messrs. Andrews, Bashaw, Beckner, Bowman, Brewer, Chitwood, Ellis, Hale, Haynes, Harrigan, Kendall, Maynard, O'Malley, Pehle, Pepper, Pollock, Pollard, Powell, Vancleve, Waggener, Windes and Mr. Speaker—22.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, McDaniel, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—8.

The title of the bill was read and agreed to.

Mr. Alldridge moved to reconsider the vote by which the bill passed.

Mr. Bonham moved to lay the motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 709, entitled An act declaratory of the revised statutes of the State of Missouri and their effect, and to provide for their collation, editing, printing, binding, publishing and distributing the same, and has adopted the emergency clause thereto, in which the concurrence of the House is respectfully requested; which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 16th, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives:

SIR: I return to the House with my approval indorsed thereon, bills of the following titles:

An act to preserve the public school funds of cities and towns of this State;

An act to amend section 15 of chapter 69 of the General Statutes of the State of Missouri;

An act to amend an act entitled an act dividing the State into judicial circuits, prescribing the times of holding courts therein, and repealing all acts and parts of acts inconsistent therewith, approved April 28, 1877;

An act to regulate the assessment and collection of taxes on boats and vessels used in navigating the waters of this State, and to repeal an act to impose taxes and wharfage on steamboats and other vessels, and to regulate the same, and to repeal certain acts and parts of acts.

An act to amend section 1 of an act entitled an act to regulate mining in cities and towns, and for the protection of public and private property from depredation by mining operations, approved April 21, 1877.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Leave of absence was granted Mr. Maynard for an indefinite period, on account of sickness.

Senate substitute No. 6 in part for Senate bill No. 100, entitled An act relating to city, town and other plats; was taken up, and the following Senate amendment to House amendment (said amendment to amendment having been printed):

Amend amendment No. 1 by striking out the word "ten," and insert in lieu thereof the word "seven; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Finks, Foster, Gray, Greer, Gwynne, Hayes, Hall, Harrison, Hynes, Helm, Kneisley, Lackland, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McIntyre, McKill, Organ, Palmer, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Spring, Swank, Talbot, Taylor, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Wisby—89.

NOES—Mr. Harrington—1.

ABSENT—Messrs. Andrews, Arnold, Bashaw, Berryman, Campbell of Atchison, Chitwood, Cock, Coleman, Collins, Davis, Dawson, Diercks, Farr, Hale, Haynes, Harrigan, Hubbard, Ingram, Johnson, Kendall, Lesueur, Lockhart, Louthan, Miles, McGarry, O'Malley, Pollock, Powell, Smith of St. Louis city, Tevis, Vancleve, Windes, Younger and Mr. Speaker—34.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Dryden, Freed, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Patterson of Schuyler and Wiley—8.

Senate substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri; was taken up with House amendments Nos. 3 and 5 thereto, in which the Senate refused to concur, and Senate amendment to House amendment No. 1 (said amendment to amendment having been printed).

Senate amendment to House amendment No. 1—Amend amendment No. 1 by striking out the word "six" and inserting in lieu thereof

the word "nine," in line 11 printed amendment; was read, and, on motion, disagreed to.

Mr. McIntyre moved that the House insist upon its amendments Nos. 3 and 5, and that a Committee of Conference be appointed thereon; which was agreed to.

The Speaker *pro tem.* appointed as said Committee of Conference on the part of the House, Messrs. McIntyre, Foster and Lackland.

House bill No. 711, entitled An act supplemental and amendatory of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices, and other matters, approved May 10, 1879; was taken up with the following Senate amendment thereto (said amendment having been printed):

Amend section 1, in line 8, engrossed bill, by striking out the words "of two hundred and fifty ems;" which was read.

Mr. Haynes moved that the House disagree to the amendment; which was agreed to.

Senate substitute for Senate bill No. 310, entitled An act to revise and amend chapter 130, entitled of dower, of the General Statutes; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 205, entitled An act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, to define who shall be known, in law, as dealers in drugs and medicines, and to repeal an act entitled an act to regulate the sale of intoxicating liquors by dealers in drugs and medicines, approved May 2, 1877; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 259, entitled An act to create and perpetuate free public school funds for the several counties of this State; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 262, entitled An act to establish a bureau of labor statistics: was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 344, entitled An act to appropriate money for the payment of the judge of the sixteenth judicial circuit, for presiding over the Hannibal court of common pleas; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 1 for Senate bill No. 90, entitled An act to revise and amend chapter 18 of the General Statutes of the State of Missouri, concerning Attorney-General and prosecuting attorneys;

was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bills Nos. 245, 152, 275, 317 and 89 and House bill No. 185, entitled An act to revise and amend the general law in relation to roads and highways, etc.; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.* without objections.

Mr. Bashaw, from the Committee of Conference on Senate substitute No. 2 for Senate bill No. 101, submitted the following report:

MR. SPEAKER: Your Committee of Conference, to whom was referred the consideration of the differences between the Senate and the House of Representatives on House amendment to section No. one (1), of substitute No. 2 for Senate bill No. 101, entitled An act to revise and amend chapter six of the General Statutes of Missouri, concerning county buildings and the removal of county seats, beg leave to report that they have considered the same and have agreed upon the following as an adjustment of said differences of the two houses, and recommend that the House of Representatives recede from said House amendment to said bill, which said amendment is in words and figures as follows:

Amend section one by striking out all of said section after the word "years" in the 7th line, all of which is respectfully submitted.

S. H. Headlee, G. F. Ballingal, Jas. R. Claiborne, F. P. Wiley, H. J. Maynard, T. P. Bashaw, Committee; which was read.

On motion of Mr. Pollard, the report was disagreed to.

On motion of Mr. Price, the House adjourned until to-morrow morning at 9 o'clock.

ONE HUNDRED AND EIGHTH DAY—SATURDAY, May 17, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when

On motion of Mr. Harrigan, the further reading was dispensed with.

Leave of absence was granted Mr. Taylor for two days.

Mr. Powell was reported sick.

Leave of absence was granted Mr. Withers until the end of the session, on account of sickness in family.

Senate substitute No. 4 for Senate bill No. 82, entitled An act to revise and amend the insurance laws of the State of Missouri; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred Senate bill No. 302, entitled An act fixing the liability of common carriers receiving property for transportation, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 302 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cox, Craig, Creager, Crow, Crowther, Davis, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hall, Harrigan, Harrington, Hubbard, Helm, Ingram, Kendall, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Turner, Warren, Wells, Weygandt, Windes and Younger—93.

NOES—Messrs. Hynes, Johnson and Mr. Speaker—3.

ABSENT—Messrs. Ballew, Bonham, Booth, Campbell of Atchison, Campbell of St. Louis city, Chitwood, Cowan of Christian, Cowan of Holt, Dale, Dawson, Diercks, Hayes, Hale, Haynes, Harrison, Lackland, Lesueur, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, Pollock, Price, Settles, Tiernan, Vancleve, Waggener, Whitaker and Wisby—29.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Dryden, Freed, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute No. 2 in part for Senate bill No. 69, entitled An act to provide for the incorporation of mutual saving fund, loan and building associations, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute No. 2 in part for Senate bill No 69; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cox, Craig, Creager, Crow, Davis, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Gray, Greer, Gwynne, Hayes, Haynes, Harrigan, Harrington, Hubbard, Hynes, Helm, Johnson, Kendall, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Moler, Morrison, Mudd of Lincoln, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, O'Malley, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Waggener, Wells, Weygandt, Whitaker, Windes, Younger and Mr. Speaker—96.

NOES—Mr. Beckner—1.

ABSENT—Messrs. Andrews, Bonham, Booth, Campbell of Atchison, Chitwood, Cloud, Cowan of Holt, Crowther, Dale, Diercks, Hall, Hale, Harrison, Ingram, Kneisley, Lackland, Lesueur, Manistre, Mudd of St. Louis, McCormick of St. Louis city, McDaniel, Organ, Palmer, Pollock, Vancleve, Warren and Wisby—27.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Dryden, Freed, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The title of the bill was read and agreed to.

Mr. McIntyre moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bill No. 368, entitled An act to regulate the examination and approval of official bonds and to provide for the bringing and prosecuting of suits thereon, beg leave to report that they have considered the same, and recommend that it do pass with the accompanying amendment; which was read.

Senate bill No. 368; was taken up, with the following amendment recommended by the Committee on Judiciary:

Amend section 4, printed bill, by striking out the words "a new and sufficient," in the 6th line, and insert in lieu thereof the words "an additional," and by adding at the end of said section the following words: "and the giving of such additional bond shall not in any wise affect the obligation of the sureties upon the original bond;" which was read.

The question being upon agreeing to the amendment,

The ayes and noes were demanded, and the amendment was not agreed to by the following vote:

AYES—Messrs. Bashaw, Campbell of St. Louis city, Cock, Cook, Davis, Dougherty, Ewing, Farr, Gwynne, Hayes, Harrigan, Hubbard, Kneisley, Lackland, Louthan, McDaniel, McElvain, McIntyre, O'Malley, Organ, Patterson of Schuyler, Powers, Ragan, Riley, Saunders, Waggener, Wells and Mr. Speaker—28.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dodson, Drum, Dryden, Ellis, Foster, Gray, Greer, Haynes, Harrington, Hynes, Helm, Ingram, Johnson, Kendall, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, Palmer, Pehle, Pepper, Phelan, Pollard, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Whitaker, Windes and Younger—80.

ABSENT—Messrs. Ballew, Berryman, Chitwood, Dale, Diercks, Dilley, Finks, Hall, Hale, Harrison, Lesueur, Miles, Morrison, Pollock, Price, Vancleve, Weygandt and Wisby—18.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Freed, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The bill was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Anderson, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Cloud, Coleman, Collins, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Drum, Dryden, Ellis, Foster, Freed, Gray, Greer, Hall, Haynes, Harrigan, Harrington, Hynes, Helm, Ingram, Kendall, Lackland, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McGarry, McKill, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Reynolds, Settles, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Whitaker, Windes, Younger and Mr. Speaker—90.

NOES—Messrs. Berryman, Campbell of St. Louis city, Chilton, Cock, Cook, Cowan of Christian, Davis, Dougherty, Ewing, Finks, Gwynne, Hayes, Hubbard, Johnson, Kneisley, McDaniel, McElvain, McIntyre, O'Malley, Pollock, Price, Ragan, Riley, Saunders, Vancleve and Wells—26.

ABSENT—Messrs. Chitwood, Dale, Diercks, Farr, Hale, Harrison, Lesueur, Organ, Waggener, Weygandt and Wisby—11.

ABSENT WITH LEAVE—Messrs. Carroll, Dade, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The emergency clause was not adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Cloud, Coleman, Collins, Cooper, Cowan of Holt, Cowan of Christian, Craig, Creager, Crow, Crowther, Dawson, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Foster, Freed, Gray, Greer, Hayes, Hall, Haynes, Harrington, Hynes, Ingram, Johnson, Kendall, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McCormick of Washington, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Pollard, Reynolds, Set-

ties, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Weygandt, Whitaker, Windes, Wisby and Younger—88.

NOES—Messrs. Berryman, Campbell of St. Louis city, Chilton, Cock, Cook, Davis, Dougherty, Finks, Gwynne, Harrigan, Hubbard, Kneisley, Lackland, McDaniel, McElvain, McIntyre, O'Malley, Phe-lan, Pollock, Powers, Price, Ragan, Rawlings, Riley, Saunders, Van-cleve, Wells and Mr. Speaker—28.

ABSENT—Messrs. Bashaw, Chitwood, Cox, Dale, Diercks, Farr, Hale, Harrison, Helm, Lesueur and Waggener—11.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Hammons, Maynard, McKinney, Souder and Withers—8.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The title of the bill was read and agreed to.

Mr. Moler moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that in compliance with the request of the House, the President has appointed as a committee of conference to consider substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record in the General Statutes of Missouri, Senators Hockaday, De-Armond and Hudson, to confer with Messrs. McIntyre, Foster and Lackland; which was read.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that there has been introduced into and passed the Senate, Senate bill No. 266, entitled An act declaring certain State bonds due and payable, and authorizing the Fund Commissioners to sell 5 per cent. bonds to redeem the bonds so declared due and payable. (Emergency clause failed to pass);

Also, Senate bill No. 869, entitled An act relating to the appointment of a committee to settle with the State treasurer, and has adopted the emergency clause thereto; in which the concurrence of the House is requested;

Also, that the Senate has taken up and refused to concur in House amendment to substitute for Senate bill, Nos. 10, 27, and 32, entitled

An act to control the forfeiture of life insurance policies, and respectfully ask the House to recede therefrom ; which was read.

Leave of absence was granted the Committee on Penitentiary for the forenoon.

Mr. Bryan, from the Committee on Ways and Means, submitted the following report :

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred substitute for Senate bill No. 85, entitled An act to revise and amend title 6 chapter 14 of the General Statutes of the State of Missouri, entitled of the State interest fund and the State sinking fund, beg leave to report that they have considered the same, and recommend that it do pass, with the accompanying amendment ; which was read.

Senate substitute for Senate bill No. 85 ; was taken up with the following amendment recommended by the Committee on Ways and Means :

Amend by striking out the word "hereinafter," in line 5, section 5 of printed bill, and insert in lieu thereof the word "herein;" which was read and agreed to.

The bill, as amended, was then read the third time, and passed by the following vote :

AYES—Messrs. Adams, Andrews, Arnold, Ballew, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dougherty, Dawson, Dilley, Dodson, Drum, Ellis, Ewing, Finks, Freed, Gray, Greer, Gwynne, Hayes, Hall, Harrigan, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Vancleve, Warren, Wells, Weygandt and Windes—93.

NOES—Messrs. Beckner, Cloud and Whitaker—3.

ABSENT—Messrs. Alldridge, Bashaw, Campbell of St. Louis city, Chitwood, Cooper, Cowan of Christian, Dale, Diercks, Farr, Foster, Hale, Haynes, Harrington, Harrison, Ingram, Lackland, Lesueur, Miles, Moler, Pepper, Saunders, Settles, Smith of Cedar, Wisby, Waggener, Younger and Mr. Speaker—27.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Dade, Dryden, Hammons, Maynard, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—12.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The title of the bill was read and agreed to.

Mr. Wells moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Senate substitute for Senate bills Nos. 10, 29, 32, entitled An act to control the forfeiture of life insurance policies; was taken up with House amendments thereto, in which the Senate refused to concur.

Mr. Wells moved that the House recede from its amendment; which was agreed to.

The question being upon the passage of section 3 of the bill; the roll was called, and the section passed by the following vote:

AYES—Messrs. Adams, Andrews, Ballew, Bashaw, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Holt, Craig, Creager, Crow, Crowther, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Freed, Greer, Hayes, Harrigan, Harrington, Hubbard, Helm, Kendall, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Price, Riley, Reynolds, Spring, Smith of St. Louis city, Talbot, Taylor, Tevis, Turner, Waggener, Warren, Wells, Weygandt, Windes, Wisby, Younger and Mr. Speaker—77.

NOES—Messrs. Alldridge, Arnold, Gray, Johnson, Ragan and Swank—6.

ABSENT—Messrs. Beckner, Berry, Berryman, Booth, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Coleman, Cowan of Christian, Cox, Dale, Davis, Dawson, Farr, Finks, Foster, Gwynne, Hall, Hale, Haynes, Hynes, Ingram, Lackland, Miles, McCormick of St. Louis city, Pepper, Pollock, Powers, Saunders, Smith of Cedar, Tiernan, Vancleve and Whitaker—35.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Chitwood, Dade, Diercks, Dryden, Hammons, Harrison, Lesueur, Maynard, McDaniel, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Mr. Wells moved to reconsider the vote by which the section passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER : I am instructed by the Senate to inform the House of Representatives that the Senate has taken up, amended and passed House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri, to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them ; which was read.

Mr. Wells, from the Committee of Conference on Senate substitute for Senate bills Nos. 65 and 287, submitted the following report :

MR. SPEAKER : Your Committee of Conference, to whom was referred the matter of difference between the Senate and House of Representatives, in relation to House amendment No. 1, to Senate substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor, beg leave to report that in conjunction with Senate committee appointed to confer on that subject with your committee, have carefully considered the same, and have arrived at the conclusion that the amendment of the House striking out sections 14, 15, 16 and 17 should be adhered to ; E. C. Murray, J. N. Bradley, Senate committee ; Wm. C. Wells, Chas. S. Bryan, Jos. H. Finks, House committee ; which was read.

The question being upon the adoption of the report, the roll was called, and the report was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Berry, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig Creager, Crow, Crowther, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Gray, Greer, Hayes, Harrigan, Harrington, Hubbard, Hynes, Helm, Kneisley, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Price, Ragan, Riley, Reynolds, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Turner, Waggener, Warren, Wells, Weygandt, Wisby and Mr. Speaker—85.

ABSENT—Messrs. Beckner, Berryman, Burford, Campbell of St. Louis city, Cowan of Christian, Dale, Davis, Dawson, Farr, Finks, Foster, Gwynne, Hall, Hale, Haynes, Ingram, Johnson, Kendall, Lackland, Miles, Morrison, McCormick of St. Louis city, Pepper, Pollock, Powers, Saunders, Smith of Cedar, Swank, Taylor, Vancleve, Whitaker, Windes and Younger—33.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Carroll, Chitwood, Dade, Diercks, Freed, Hammons, Harrison, Lesueur, Maynard, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—17.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined substitute for House bills Nos. 153, 372 and 437, entitled An act to regulate the inspection of petroleum oils and all products thereof, manufactured or sold for illuminating purposes in this State, and find the same truly and correctly enrolled; which was read.

Substitute for House bills Nos. 153, 372 and 437; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

House bill No. 709, entitled An act declaratory of the Revised Statutes of Missouri and their effect, and to provide for the collation, editing, printing, binding, publishing and distributing the same; was taken up, with the following Senate amendments thereto, said amendments having been printed:

Senate amendment No. 1—Amend section 3 by striking out the word "General," in line 4 of printed bill, and insert in lieu thereof the word "Revised;" was read and concurred in by the following vote:

AYES—Messrs. Adams, Andrews, Anderson, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Diercks, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Gwynne, Hayes, Hall, Haynes, Harrigan, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Louthan, Lynn, Mackey, Mahn, Manistre, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tevis, Tiernan, Turner, Vancleve, Warren, Weygandt, Wisby, Younger and Mr. Speaker—94.

ABSENT—Messrs. Alldridge, Arnold, Beckner, Campbell of St. Louis city, Cooper, Dale, Dougherty, Dawson, Farr, Foster, Gray, Hale, Harrington, Kendall, Lackland, Lockhart, Mabrey, Moler,

McCormick of St. Louis city, Organ, Pepper, Pollock, Saunders, Taylor, Waggener, Wells, Whitaker and Windes—28.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Lesueur, Maynard, McDaniel, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—13.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Senate amendment No. 2—Amend section 4 by striking out the words “and of this State,” in lines 2 and 3 of printed bill, and by inserting after the words “thereto,” in 3rd line printed bill, the words “the Constitution of this State;” was read, and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Drum, Dryden, Ellis, Ewing, Finks, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Helm, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McKill, McGarry, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Warren, Weygandt, Wisby, Younger and Mr. Speaker—92.

ABSENT—Messrs. Ballew, Beckner, Brewer, Campbell of St. Louis city, Dale, Davis, Dougherty, Farr, Foster, Gray, Gwynne, Hall, Hale, Hynes, Kendall, Lackland, Manistre, Moler, McCormick of St. Louis city, Organ, Pollock, Swank, Taylor, Turner, Vancleve, Waggener, Wells, Whitaker and Windes—29.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Chitwood, Dade, Freed, Hammons, Harrigan, Maynard, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—14.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Senate amendment No. 3—Amend section 13 by striking out lines 1, 2, 3, 4 and 5 of printed bill, and insert the following in lieu thereof: “Each member of the committee shall be allowed five dollars for each day he may be actually and necessarily engaged at the capital in the discharge of the duties imposed in this act, and the committee may, if deemed necessary, employ not more than one clerk at a compensation not to exceed five dollars a day for each day that he shall

be actually at work as such clerk, which per diem of;" was read, and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Bashaw, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Campbell of Atchison, Chenoweth, Chilton, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Johnson, Kneisley, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Spring, Talbot, Tevis, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Weygandt, Windes, Younger and Mr. Speaker—97.

ABSENT—Messrs. Andrews, Berryman, Booth, Burford, Campbell, of St. Louis city, Carleton, Dale, Davis, Farr, Foster, Gray, Gwynne, Hall, Hale, Kendall, Lackland, Moler, McCormick of St. Louis city, Organ, Pollock, Smith of Cedar, Swank, Taylor, Whitaker and Wisby—25.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Chitwood, Dade, Freed, Hammons, Harrigan, Maynard, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—14.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Senate amendment No. 4—Amend by striking out section 17, and inserting the following in lieu thereof:

Section 17. Immediately after the taking effect of this act, it shall be the duty of the Attorney-General, Secretary of State and State Auditor, to give notice for at least ten days, in at least two daily newspapers, in each of the cities of St. Louis, Kansas City, St. Joseph and Hannibal, that sealed proposals will be received at the office of the Secretary of State at a date to be given in the notice specified, for the furnishing of the paper for the said Revised Statutes of the quality in this act required, and at the time and in the quantity or quantities specified in said notice; and that like sealed proposals will be received at the same time and place, for the execution of the binding of the said Revised Statutes, as contemplated and specified in this act, such binding to be completed by the 15th day of October, A. D. 1879. Each proposal for said binding shall specify the price for folding, stitching and binding for each volume required, and by "fold-

ing, stitching and binding" is meant and understood the completion of the work as required and intended in this act; and no proposal therefor at a higher rate than forty-five cents per volume, for the work completed in every particular, shall be entertained or considered. Each proposal shall be accompanied by a bond executed to the State of Missouri, in due form of law by the bidder, and at least two good and sufficient sureties, satisfactory to said officers, in the sum of twenty thousand dollars, conditioned for the prompt and faithful furnishing of the paper required at the time, in the quantities and of the quality required by said notice, and this act in the case of bids for furnishing the said paper, and in the case of bids for said binding, conditioned for the faithful performance as contemplated and required by said notice and this act, of the work bid for and the completion thereof, and of the said Revised Statutes, in the time and manner aforesaid, and in each case further conditioned for the payment of all damages, expenses and costs sustained or paid by the State, by reason of any failure or neglect of the contractor to fulfill and perform his contract in the time and manner contemplated and required in this act. Said officers shall have the right to reject any insufficient bid, or any bid by irresponsible party, and shall not entertain any bid unaccompanied by such bond, but the furnishing of paper and the binding and completion of said Statutes, respectively, shall be let to the lowest responsible bidders within the limits aforesaid; was read.

Mr. Tiernan moved that the House disagree to the amendment; which was not agreed to.

Mr. Campbell of St. Louis city offered the following amendment to the amendment:

Amend lines 14 and 15 in amendment No. 4, by striking out the words "forty-five" and insert the words "fifty-five; which was read and agreed to.

Senate Amendment No. 4 as amended was then read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brewer, Brown, Burford, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Collins, Cook, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Greer, Hayes, Haynes, Harrington, Harrison, Hubbard, Hynes, Ingram, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McKill, Organ, Palmer, Pollard, Powers, Price, Riley,

Reynolds, Smith of Cedar, Spring, Swank, Talbot, Turner, Waggener, Wells, Weygandt, Wisby and Mr. Speaker—85.

NOES—Messrs. Brady, Campbell of Atchison, Davis, Hall, Harri-gan, McGarry, O'Malley, Ragan, Smith of St. Louis city, Tiernan and Vancleve—11.

ABSENT—Messrs. Bryan, Cock, Cooper, Creager, Farr, Foster, Gray, Gwynne, Hale, Helm, Johnson, Kendall, Kneisley, Lackland, Miles, Moler, Morrison, Patterson of Schuyler, Pepper, Phelan, Pollock, Taylor, Tevis, Warren, Whitaker, Windes and Younger—27.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Maynard, McIntyre, McKinney, Pehle, Rawlings, Settles, Souder and Withers—12.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Senate amendment No. 5—Amend section 8 by striking out the words “the acts so revised” in 4th line, and inserting in lieu thereof the words “all prior laws;” was read.

Mr. Campbell of St. Louis city offered the following amendment to the amendment:

Amend 5th amendment by adding thereto the words “relating to the same subject matter;” which was read and agreed to.

Senate amendment No. 5, as amended, was then read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Carleton, Chenoweth, Chilton, Cloud, Cock, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Foster, Greer, Hayes, Hall, Haynes, Harrington, Harrison, Hynes, Ingram, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of St. Louis city, McElvain, McGarry, McKill, O'Malley, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Spring, Swank, Talbot, Tiernan, Turner, Vancleve, Waggener, Warren, Wells, Whitaker, Windes and Mr. Speaker—94.

NOES—Mr. Weygandt—1.

ABSENT—Messrs. Beckner, Burford, Campbell of Atchison, Campbell of St. Louis city, Coleman, Creager, Davis, Farr, Gray, Gwynne, Hale, Hubbard, Helm, Johnson, Kendall, Manistre, Miles, Moler, McCormick of Washington, Organ, Pehle, Pollock, Saunders, Taylor, Tevis, Wisby and Younger—27.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Freed, Hammons, Harrigan, Maynard, McDaniel, McIntyre, McKinney, Rawlings, Settles, Souder and Withers—14.

SICK—Messrs. Burrows, Ham, Knight, Mott, Patterson of Linn, Powell and Wiley—7.

Senate amendment No. 6—Amend section 10 of printed bill by striking out all of the first part of said section down to the word “to,” in line 7, and inserting in lieu thereof the following: “The chairman of the Joint Committee on Revision, and the chairman of the House part of said committee, together with one member of the Senate and one of the House of said committees that they may select—provided their services are deemed necessary—are hereby authorized and empowered, after the adjournment of the 30th General Assembly, to proceed with all proper haste, and in the shortest time possible, consistent with their duties, as prescribed in this act;” was read.

Mr. Dryden offered the following substitute for the amendment:

Amend by substituting the following for said amendment No. 6: “The chairmain of the Joint Committee on Revision and the chairman of the House part of said committee, together with the one of the House members of said committee that may be chosen by the last named chairman, are hereby authorized and empowered, after the adjournment of the 30th General Assembly, to proceed, with diligence, and in the shortest time possible, consistent with the proper discharge of their duties, as prescribed in this act;” which was read.

The question being upon agreeing to the substitute, the ayes and noes were demanded, and the substitute was not agreed to by the following vote:

AYES—Messrs. Adams, Bohannon, Boulware, Brady, Burford, Coleman, Collins, Cook, Cowan of Christian, Crow, Crowther, Dougherty, Dryden, Ellis, Finks, Hayes, Kneisley, Louthan, McCormick of St. Louis city, McGarry, O'Malley, Organ, Palmer, Pepper, Phelan, Pollard, Powers, Price, Ragan, Reynolds, Saunders, Swank, Tiernan, Turner, Waggener, Warren, Wisby and Younger—38.

NOES—Messrs. Arnold, Ballew, Bashaw, Beckner, Bonham, Booth, Brewer, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Chenoweth, Chilton, Cloud, Cooper, Cowan of Holt, Cox, Craig, Dale, Davis, Diercks, Dodson, Drum, Ewing, Greer, Gwynne, Hall, Haynes, Harrington, Harrison, Hynes, Helm, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McDaniel, McElvain, McIntyre, McKill, Patterson of Schuyler, Pehle, Riley, Talbot, Tevis, Vancleve, Wells, Weygandt and Whitaker—56.

ABSENT—Messrs. Andrews, Berry, Berryman, Bowman, Carleton, Chitwood, Cock, Creager, Dawson, Dilley, Farr, Foster, Gray, Hale, Harrigan, Ingram, Johnson, Larimore, Manistre, Maynard, Moler, Smith of Cedar, Smith of St. Louis city, Spring, Windes and Mr. Speaker—26.

ABSENT WITH LEAVE—Messrs. Alldridge, Anderson, Carroll, Dade, Freed, Hammons, Hubbard, Kendall, Miles, McKinney, Rawlings, Settles, Souder, Taylor and Withers—15.

SICK—Messrs. Burrows, Ham, Knight, Mott, Patterson of Linn, Pollock, Powell and Wiley—8.

The question recurring upon concurring in the amendment, it was concurred in by the following vote :

AYES—Messrs. Adams, Arnold, Ballew, Bashaw, Berry, Bohannon, Bonham, Booth, Boulware, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Chilton, Cloud, Coleman, Cook, Cooper, Cowan of Holt, Cox, Craig, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ewing, Greer, Gwynne, Hall, Haynes, Harrington, Harrison, Hynes, Helm, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Phelan, Powers, Price, Riley, Reynolds, Saunders, Smith of Cedar, Spring, Taylor, Talbot, Turner, Waggener, Warren, Wells, Weygandt, Whitaker and Mr. Speaker—79.

NOES—Messrs. Brown, Collins, Cowan of Christian, Crow, Ellis, Hayes, Kneisley, Lackland, Pepper, Ragan, Swank, Tevis, Vancleve and Wisby—14.

ABSENT—Messrs. Alldridge, Andrews, Beckner, Berryman, Bowman, Cock, Creager, Dawson, Farr, Finks, Foster, Gray, Hale, Hubbard, Ingram, Johnson, Kendall, Louthan, Manistre, Miles, Moler, O'Malley, Pollock, Pollard, Smith of St. Louis city, Tiernan, Windes, and Younger—28.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Chitwood, Dade, Freed, Hammons, Harrigan, Maynard, McDaniel, McKinney, Rawlings, Settles, Souder and Withers—14.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Senate amendment No. 7—Amend section 11 by adding after the word "whole," in the 5th line of printed bill, the words, "conforming as near as may be to the index of the Revised Statutes of Missouri of 1855 ;" was read, and, on motion, disagreed to.

Senate amendment No. 8—Amend section 14 by inserting after the word “small pica” the word “face;” was read, and, on motion, disagreed to.

Senate bill No. 369, entitled An act relating to the appointment of a committee to settle with the State Treasurer; was called up and read the first time.

Senate bill No. 266, entitled An act declaring certain State bonds due and payable, and authorizing the Fund Commissioner to sell five per cent. bonds to redeem the bonds so declared due and payable;” was called up and read the first time.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has refused to concur in House amendments to substitute for Senate bill No. 87, entitled An act to revise and amend the laws in relation to the assessment and collection of the revenue, and requests a committee of conference thereon, the President having appointed as such committee, on the part of the Senate, Senators Morrisson, Major and Phelan; which was read.

The Speaker appointed as a Committee of Conference on Senate Substitute for Senate Bill No. 87, on the part of the House, Messrs. Dawson, Louthan and Dilley.

On motion of Mr. Price, the House took a recess until 2½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred House bills Nos. 56, 276, 604, 614, 343, 675, 653, 282, 644, 47, 263, 197, 532, 104, 349, 250, 88, 125, 94, 164, 571, 124, 332, 53, 619, 246, 120, 686, 707, 687, 483, 591, 573, 694, 136, 231, 671, 178, 674, 138, 238, 81, 140, 529, 100, 102, 376, 215, 436, Substitute for House bill No. 12, and Senate bills Nos. 335, 188, and House bills Nos. 54, 170, 705, 569, 632, 641, 369, 310, 248 and 46, beg leave to report that they have considered the same and recommend that they do not pass; which was read.

House bills Nos. 56, 276, 604, 614, 343, 675, 653, 282, 644, 47, 263, 197, 532, 104, 349, 250, 88, 125, 94, 164, 571, 124, 332, 53, 619, 246, 120, 686, 707, 687, 483, 591, 573, 694, 136, 231, 671, 178, 674, 138, 238, 81, 140, 529, 100, 102, 376, 215, 436, 54, 170, 705, 569, 732, 641, 310, 369, 248 and 46; Sub-

stitute for House bill No. 12, and Senate bills Nos. 335 and 188; were taken up, and on motion laid on the table.

Leave of absence was granted Mr. Gwynne for the afternoon.

Mr. McIntyre, from the Committee on Conference on Senate substitute No. 1, for Senate bill No. 52, submitted the following report:

MR. SPEAKER: The Joint Committee on Conference of the Senate and House, to whom was referred the differences between the two Houses in relation to Substitute No. 1 for Senate bill No. 52, being an act to revise and amend chapter 133, 134, 136 and 137, concerning courts of record; the General Statutes of the State of Missouri, beg leave to report that they have considered the same and recommend the following as a full and complete settlement of said differences, to-wit:

First—That the House concur in Senate amendment to House amendment No. 1, so that section as amended and agreed upon by your committee shall read as follows:

Sec.—The janitor of said court shall receive compensation for his services in a sum not to exceed the sum of nine hundred dollars per annum, to be fixed by said court, by order entered of record, and to be payable monthly, except as hereinafter directed.

Second—That the committee recommend that the Senate concur in House amendment No. 3, to-wit:

“Amend by striking out section 82.”

Third—That in lieu of House amendment No. 5, the committee recommend that the sections of the bill be numbered consecutively to the end.

All of which is respectfully submitted, J. A. Hockaday, D. A. De-Armond, N. C. Hudson, D. H. McIntyre, H. C. Lackland, Robert Foster, committee; which was read.

The question being upon the adoption of the report, the roll was called and the report adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Bashaw, Berry, Berryman, Bohannon, Booth, Boulware, Brown, Bryan, Burford, Campbell of Atchison, Carleton, Cloud, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Diercks, Dougherty, Drum, Ellis, Ewing, Farr, Finks, Foster, Greer, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Smith of

Cedar, Smith of St. Louis city, Talbot, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—80.

NOES—Messrs. Anderson, Ballew, Bonham and Bowman—4.

ABSENT—Messrs. Beckner, Brady, Brewer, Campbell of St. Louis city, Chenoweth, Chilton, Cock, Coleman, Cowan of Christian, Davis, Dawson, Dilley, Dodson, Gray, Hale, Harrigan, Johnson, Louthan, Manistre, Miles, Moler, Morrison, McCormick of St. Louis city, McKill, O'Malley, Reynolds, Saunders, Spring, Swank, Tevis, Vancleve, Windes, Wisby, Younger and Mr. Speaker—35.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Dryden, Freed, Gwynne, Hammons, Kneisley, Maynard, McDaniel, McKinney, Rawlings, Settles, Souder, Taylor and Withers—16.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Mr. Moler was reported sick.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed House bill No. 119, entitled An act for the relief of Henry DeBolt, and to appropriate money therefor;

Substitute for House bill No. 678, entitled An act regulating the compensation of the sheriff of the City of St. Louis;

House bill No. 536, entitled An act to enable cities and towns to fund their bonded indebtedness at a lower rate of interest and to provide for the payment of judgments;

Also, House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri; and

House bill No. 633, entitled An act to amend section 42 of chapter 160 of the General Statutes of Missouri, and that the Senate has taken up

House bill No. 711, entitled An act supplemental and amendatory of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices, and other matters, approved May 10, 1879, and has receded from its amendment thereto;

Also, that the Senate has adopted the report of the Conference Committee on substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act to provide for the support of the poor;

Also, that the Senate has adopted the report of the Committee of Conference on substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts

of record, in the General Statutes of the State of Missouri; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 329, entitled An act providing for the partition of personal property, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 329 was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Ballew, Bashaw, Berry, Berryman, Bohannon, Bonham, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cloud, Cock, Collins, Cook, Cowan of Holt, Cowan of Christian, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Hayes, Hall, Harrington, Harrison, Hubbard, Hynes, Kendall, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Morrison, Mudd of Lincoln, Mudd of St. Louis, McCormick of Washington, McElvain, McGarry, McIntyre, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Whitaker—93.

NOES—Mr. Speaker—1.

ABSENT—Messrs. Andrews, Beckner, Booth, Boulware, Bowman, Chenoweth, Chilton, Coleman, Cooper, Dawson, Hale, Haynes, Harrigan, Helm, Ingram, Johnson, Kneisley, Louthan, Miles, Moler, McCormick of St. Louis city, O'Malley, Spring, Tevis, Vancleve, Windes, Wisby and Younger—28.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Gwynne, Hammons, Maynard, McDaniel, McKinney, Rawlings, Souder, Settles, Taylor and Withers—13.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

The title of the bill was read and agreed to.

Mr. Foster moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Foster, from the Committee on St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill 364, entitled An act to repeal an act entitled an act in relation to change of venue from the criminal court of St. Louis county, approved Dec. 11, 1855, beg leave to report that they have considered the same without recommendation; which was read.

House bill No. 364 was taken up, and, on motion, laid on the table.

Mr. Foster, from the St. Louis Delegation, submitted the following report:

MR. SPEAKER: Your Committee on St. Louis Delegation, to whom was referred House bill No. 365, entitled An act to repeal sections 15, 16 and 17 of an act entitled an act to establish a criminal court in St. Louis county, approved Nov. 29, 1855, beg leave to report that they have considered the same without recommendation; which was read.

House bill No. 365; was taken up, and, on motion, postponed indefinitely.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred substitute for Senate bill No. 325, entitled An act to revise and amend an act to establish a court of common pleas in the City of Cape Girardeau, approved Feb. 22, 1851, beg leave to report that they have considered the same, and recommend that it do pass, with amendments herewith submitted; which was read.

Senate substitute for Senate bill No. 325 was taken up, with the amendments recommended by the Committee on Judiciary.

Mr. Burford offered a substitute for the bill and amendments.

On motion of Mr. Haynes, the bill and substitute were laid on the table.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolution No. 1, entitled Joint and concurrent resolution in relation to the time of choosing members of the General Assembly, beg leave to report that they have considered the same, and recommend that it be not adopted; which was read.

House joint and concurrent resolution No. 21; was taken up, and, on motion, laid on the table.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House joint and concurrent resolution No. 55, submitting to the qualified voters of this State, an amendment to the constitution, decreasing the number of Representatives in the lower House of the General Assembly, forty-one, and providing that the number of Representatives shall be three times the number of Senators, with a minority representation, beg leave to report that they have considered the same, and that your Committee has ordered their chairman to report the same back to the House without recommendation, which is done accordingly; which was read.

House joint and concurrent resolution No. 55; was taken up, and, on motion, laid on the table.

Mr. Lesueur, from the Committee on Penitentiary, submitted the following report:

MR. SPEAKER: Your Committee on Penitentiary beg leave to be relieved from further consideration of all the accompanying documents, to which they have given their careful consideration, and an answer to most of which was embodied in the bill which was presented to this House, and which now only awaits the signature of the Governor to become a law.

One paper we desire to speak of specifically, *i. e.*: The resolution of the gentleman from Andrew, requiring this Committee to "make such inquiries into the management of the prison as would enable them to make a satisfactory report to the House concerning the same." In response to the requirements of this resolution, your committee has, individually and collectively, made diligent inquiry into the accounts, contracts, manner of making purchases, conduct and discipline of the institution, and have thoroughly investigated every rumor against the integrity of the Warden, which has reached us. It affords us pleasure to say that we find the institution to be ably, economically and honestly managed. This conclusion we have reached after considering the sworn testimony of witnesses, and after repeated personal examination of the books and management of the prison in all their details. We commend Warden Willis' management as being distinguished for great executive ability, and constant care for the best interest of the State; which was read and adopted.

Mr. Hall, from the Committee on Criminal Jurisprudence, submitted the following report:

MR. SPEAKER: Your Committee on Criminal Jurisprudence, to whom was referred House bills Nos. 669, 702, 587, 224, 627, 128, 287, 635, 290, 518, 348, 412, 601, 649, 508, 661, 664, 199, 5, 443, 427, 247, 309, 272, 551, 478, 549, 562, 548 and 467, beg leave to report that they have

considered the same, and recommend that it do not pass; which was read.

House bills Nos. 669, 702, 587, 224, 627, 128, 287, 635, 290, 518, 348, 412, 601, 649, 108, 661, 664, 199, 5, 443, 427, 247, 309, 272, 551, 478, 549, 562, 548 and 467; were taken up, and, on motion, laid on the table.

House bill No. 690, entitled an act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them; was taken up, with the following Senate amendment thereto, (said amendment having been printed):

Amend section 1 by inserting after the word "claims," in the third line, the following words: "The subdivisions of which have not hitherto been surveyed and platted," and by striking out the word "sectionized," from lines three and four, original bill; which was read and concurred in by the following vote:

AYES—Messrs. Adams, Alldridge, Arnold, Ballew, Beckner, Berry, Berryman, Bohannon, Bonham, Booth, Boulware, Bowman, Brady, Brown, Bryan, Burford, Campbell of St. Louis city, Carleton, Cloud, Cock, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Foster, Freed, Gray, Greer, Hale, Haynes, Harrigan, Harrington, Harrison, Hubbard, Helm, Kendall, Kneisley, Lackland, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Morrison, Mudd of St. Louis, McCormick of Washington, McElvain, McKill, O'Malley, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollard, Ragan, Riley, Reynolds, Saunders, Smith of St. Louis city, Talbot, Tiernan, Warren, Wells and Whitaker—79.

ABSENT—Messrs. Andrews, Brewer, Campbell of Atchison, Chenoweth, Chilton, Coleman, Collins, Cowan of Christian, Dawson, Dille, Finks, Gwynne, Hayes, Hale, Hynes, Ingram, Johnson, Louthan, Manistre, Miles, McCormick of St. Louis city, Moler, Mudd of Lincoln, McGarry, Organ, Pollock, Powers, Price, Smith of Cedar, Spring, Swank, Tevis, Turner, Vancleve, Waggener, Weygandt, Windes, Wisby, Younger and Mr. Speaker—40.

ABSENT WITH LEAVE—Messrs. Anderson, Bashaw, Carroll, Chitwood, Dade, Hammons, Maynard, McDaniel, McIntyre, McKinney, Pehle, Rawlings, Settles, Souder, Taylor and Withers—16.

SICK—Messrs. Burrows, Ham, Knight, Larimore, Mott, Patterson of Linn, Powell and Wiley—8.

Mr. Riley, from the Committee on Deaf and Dumb and Lunatic Asylums, submitted the following report.

MR. SPEAKER: Your committee on Deaf and Dumb and Lunatic Asylums, to whom was referred House bills Nos. 503, 401, 387, 274, 398, 214 and 450, beg leave to report that they have considered the same, and report them back without recommendation; which was read.

House bills Nos. 503, 401, 387, 274, 398, 214 and 450; were taken up, and, on motion, laid on the table.

Leave of absence was granted Mr. Booth for the balance of the session.

On motion of Mr. Price, the House adjourned until Monday morning at 9 o'clock.

ONE HUNDRED AND NINTH DAY—MONDAY, May 19, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of Saturday was being read, when,

On motion of Mr. Campbell of St. Louis, the further reading was dispensed with.

Senate bill No. 369, entitled An act relating to the appointment of a committee to settle with the State Treasurer; was called up, read the second time, and, on motion, referred to the Committee on Ways and Means.

Senate bill No. 266, entitled An act declaring certain State bonds due and payable, and authorizing the Fund Commissioners to sell five per cent. bonds to redeem the bonds so declared due and payable; was called up, and read the second time.

Mr. Burford offered the following amendment:

Amend the following sections and lines:

Section 2, line 6, strike out "5" and insert "3 65-100."

Section 4, line 20, strike out "5" and insert "3 65-100."

Section 4, line 33, strike out "5" and insert "3 65-100."

Section 11, line 3, strike out "5" and insert "3 65-100;" which was read.

Mr. Cowan of Christian, offered the following amendment:

Amend section 4 of printed bill by striking out all of said section after the word "one," in line 7, down to and including the word "each," in line 11, and insert the following words in lieu thereof: "The bonds of series 'A' shall be for five dollars each; those of series 'B' for ten dollars each; those of series 'C' for twenty dollars each; those of series 'D' for fifty dollars each; those of series 'E' for one hundred dollars each; which was read.

On motion, the bill and amendments were referred to the Committee on Ways and Means.

Mr. Campbell of St. Louis city, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred substitute for Senate bill No. 221, and in part for No. 68, entitled An act relating to the incorporation of manufacturing and business companies, beg leave to report that they have considered the same and recommend that, with the accompanying ten amendments, it do pass; which was read.

Senate substitute for Senate bill No. 221, and in part for No. 68; was taken up, with the following amendments recommended by the Committee on Banks and Corporations:

Amendment No. 1—Amend section 1: Add after the word "corporation," line 6, the words "which shall not be the name of any corporation heretofore incorporated in this State for similar purposes, or an imitation of such name;" was read and agreed to.

Amendment No. 2—Amend section 1: Add at the end of section 1, line 19, printed bill, the words: "The articles of agreement shall be signed and acknowledged by the parties thereto, and recorded in the office of the recorder of deeds of the county or city in which the corporation is to be located, and a certified copy of such recorded instrument shall be filed in the office of the Secretary of State; was read and agreed to.

Amendment No. 3—Amend section 2: Strike out all of section 2, in lines 1 to 6, both included, and insert in lieu thereof the words "the Secretary of State;" was read and agreed to.

Amendment No. 4—Strike out all between the word "week," line 11, printed bill, and the word "such," in line 12, and insert "in the city or county in which the corporation is located; and, if there be

no paper published in such county, then in any paper published in this State which circulates in the locality where such corporation is located," was read and agreed to.

Amendment No. 5—Strike out the words "filed and recorded," line 12, printed bill, and insert "shall be recorded in the office of the recorder of deeds of the city or county in which such corporation is located; and a certified copy of such recorded instrument shall be filed;" was read and agreed to.

Amendment No. 6—Amend by inserting between sections 28 and 29, the sub-heading "Of bridge companies;" was read and agreed to.

Amendment No. 7—Amend section 13: Strike out the word "second," line 19, printed bill, and insert the word "first." Strike out the word "thereof," line 20, printed bill, and insert in lieu thereof, the words "of such recorded instrument." Strike out the words "two-thirds," in lines 3 and 4, printed bill, and insert the words a "majority;" was read and agreed to.

Amendment No. 8—Amend section 16: Strike out the word "ten," in line 18, printed bill, and "insert the word "seven;" was read and agreed to.

Amendment No. 9—Strike out sections 27 and 28; was read and agreed to.

Amendment No. 10—Amend section 29: Strike out all after the word "property" in line five of the printed bill, and insert the words "according to the provisions of this act; was read and agreed to.

The bill as amended was then read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cloud, Cock, Coleman, Collins, Cooper, Cook, Cowan of Christain, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Davis, Dawson, Diercks, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Gwynne, Hayes, Hall, Harrington, Harrison, Hubbard, Hynes, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollock, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Taylor, Tiernan, Vancleve, Waggener, Warren, Wells, Whitaker, Wiley, Windes, Wisby, Younger and Mr. Speaker—106.

NOES—Messrs. Bashaw, Berryman, Brown, Freed, Gray, Greer, Ingram, Pollard and Weygandt—9.

ABSENT—Messrs. Booth, Chenoweth, Chilton, Dale, Dilley, Hale, Haynes, Harrigan, Helm, Louthan, Mudd of St. Louis, McCormick of St. Louis city, Settles, Spring, Tevis and Turner—16.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Maynard, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city, moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Farr, from the Committee on Education, submitted the following report:

MR. SPEAKER: Your Committee on Education, to whom was referred House bills Nos. 590, 482, 381, 406, 175, 165, 106, 239, 394, 75 and 173, beg leave to report that they have considered the same, and report back without recommendation; which was read.

House bills Nos. 590, 482, 381, 406, 175, 165, 106, 239, 394, 75 and 173; were taken up, and, on motion, laid on the table.

The following message was received from the Governor, through his Private Secretary, Mr. Yost.

EXECUTIVE OFFICE,
CITY OF JEFFERSON, May 19, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives :

SIR—I regret I am compelled to return to the House of Representatives, in which it originated, a joint resolution Authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the government of the United States, without my approval. My objection relates to the form of the procedure, and not to its subject matter. Whether so directed or not, I should endeavor to obtain from the government of the United States whatever may be justly due from the United States, but I have not any authority to employ attorneys for that purpose.

The constitution of our State provides: "The style of the laws of this State shall be, 'Be it enacted by the General Assembly of the State of Missouri, as follows,' " and "No law shall be passed except by bill, etc.;" "Bills may originate in either House, etc.;" "No bill * * * shall contain more than one subject, etc." The constitution plainly recognizes the difference between bills and joint resolutions. Bill, in parliamentary law, means "a form or draft of a law presented to a legislature, but not yet enacted, or before it is enacted—a proposed or

projected law." A bill, after it receives the approval of the law-making power, is then denominated *an act*, whilst joint resolutions have only the one name, both before and after their adoption.

A writer on parliamentary law says: "Until the second session of the 27th Congress, no instance is to be found of an appropriation elsewhere than in a bill. During the first fifty years of the government, the whole number of joint resolutions passed scarcely amounted to two hundred, whilst since that period the number has been quadrupled, and at the 41st Congress alone, amounted to more than five hundred. The increase within the latter period in the number of joint resolutions containing appropriations has been in a still greater proportion. The early and long continued practice of Congress indicates that the framers of the constitution who sat in the first and succeeding Congresses, and those who followed them for many years, construed the constitutional provision that 'no money shall be withdrawn from the Treasury but in consequence of appropriations made by law,' as requiring the highest character of laws—namely, bills, not joint resolutions."

The constitution provides: "The Governor shall consider all bills and joint resolutions," etc., and it is also provided: "Every resolution to which the concurrence of the Senate and House of Representatives may be necessary, except on questions of adjournment, of going into joint session, and of amending this constitution, shall be presented to the Governor, and before the same shall take effect, shall be proceeded upon in the same manner as in the case of a bill: *Provided*, that no resolution shall have the effect to repeal, extend, alter or amend any law."

Legislative bodies make known their will by orders, resolutions and bills. All the constitutions of this State have contained the same provision concerning the style of the laws; and it was held by the Supreme Court of this State, under a former constitution, that the provision concerning the *style* of our laws was directory and not mandatory. But it is clear to my mind the framers of the present constitution intended the style of all our laws should be, "Be it enacted by the General Assembly of the State of Missouri," and therefore this provision is *mandatory*. Besides declaring such shall be the style of our laws, the constitution also provides, "That no resolution shall have the effect to repeal, extend, alter or amend any law," thus showing that if any new law shall be adopted—any existing law to be extended, repealed or amended, it is to be done by bill and not by joint resolution. The joint resolution herewith returned proposes to *alter* exist-

ing laws—to prescribe a rule of action in a manner which is forbidden by the constitution, and I therefore withhold my approval.

Very respectfully,

JOHN S. PHELPS.

Which was read.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE, CITY OF JEFFERSON, }
May 19, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, a bill of the following title:

An act to establish a board of immigration, and to prescribe the powers and duties thereof, and to repeal chapter sixty-one of the General Statutes of Missouri, and all acts amendatory thereto.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 690, entitled An act to authorize and direct county courts in the State of Missouri to cause accurate surveys to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them, and find the same truly and correctly enrolled; which was read.

House bill No. 690, was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, would respectfully report that they have carefully examined House bill No. 633, entitled An act to amend section forty-two of chapter one hundred and sixty of the General Statutes of Missouri of 1865, and find the same truly and correctly enrolled; which was read.

House bill No. 633; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 536, entitled An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments, and find the same truly and correctly enrolled; which was read.

House bill No. 536; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 711, entitled An act in relation to judicial notices, and find the same truly and correctly enrolled; which was read.

House bill No. 711; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 678, entitled an act regulating the compensation of the sheriff of the City of St. Louis, and find the same truly and correctly enrolled; which was read.

House bill No. 678; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri, and find the same truly and correctly enrolled; which was read.

House bill No. 630; was taken up, read at length by the Clerk, signed by the Speaker, without objections, and presented by the Chief Clerk to the Governor.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 119, entitled An act for the relief of Henry Debolt, and to appropriate money

therefor, and find the same truly and correctly enrolled; which was read.

House bill No. 119; was taken up, read at length by the Clerk, signed by the Speaker without objections, and presented by the Chief Clerk to the Governor.

Mr. Dryden offered the following resolution:

WHEREAS, On the 8th day of May, A. D. 1879, there was presented by the Chief Clerk of the House of Representatives to the Governor, for his consideration, a bill passed by both Houses of this General Assembly, and which originated in the House of Representatives, entitled An act relating to Street Railroads, which said bill is in the words and figures following, to-wit: "An act relating to Street Railroads.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. All existing street railroad companies, organized under the laws of this State, which have acquired the consent of the municipal authorities of any city, town or village to the use and occupancy, by a defined route, of any of the streets of such city, town or village, for street railroad purposes, are hereby authorized and empowered to lay their track or tracks, and operate their cars thereon, or operate their roads already constructed on the street or streets, to the use and occupancy of which consent has already been given.

Section 2. All acts and parts of acts of the General Assembly of this State, passed since the adoption of the Revised Statutes of 1855, and all immunities and special privileges granted by such acts or parts of acts, to any street railroad company, which conflict with, or are repugnant to this act, or the provisions thereof, are hereby repealed, annulled and abrogated, in so far as they are so in conflict or repugnant. Robert A. Campbell, Speaker *pro tem.* of the House of Representatives; W. S. Seymour, Chief Clerk of the House; M. H. Phelan, President *pro tem.* of the Senate; Wm. H. Mayo, Secretary of the Senate.

The Committee on Enrolled Bills have carefully examined and find truly enrolled the foregoing bill. J. R. Freed, Chairman Committee on Enrolled Bills; and

WHEREAS, The Governor has failed to return said bill to the House in which the same originated with his approval indorsed thereon, or accompanied by his objections, within ten days after the same was so presented to him, as required by section twelve of article five, of the Constitution; therefore, be it

Resolved, By this, the Thirtieth General Assembly, that the Secretary of State be, and he is hereby directed to enroll said bill as an authentic act in the archives of the State; which was read.

The question being upon the adoption of the resolution,

Mr. Davis rose to a point of order, and maintained that the resolution should not be put upon its passage now, but should, under the Constitution, be read on three several days.

The Speaker decided the point of order not well taken.

The ayes and noes being demanded, the resolution was adopted by the following vote :

AYES—Messrs. Adams, Alldridge, Andrews, Arnold, Ballew, Beckner, Berry, Bohannon, Bonham, Boulware, Bowman, Brewer, Bryan, Burford, Campbell of Atchison, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Creager, Crow, Crowther, Dale, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Foster, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis, McElvain, McGarry, McKill, Organ, Palmer, Patterson of Schuyler, Pehle, Pepper, Phelan, Pollard, Powell, Riley, Reynolds, Smith of Cedar, Swank, Talbot, Waggener, Warren, Whitaker, Wiley, Windes and Younger—88.

NOES—Messrs. Anderson, Berryman, Brady, Brown, Cowan of Holt, Cox, Craig, Davis, Dilley, Dodson, Finks, Freed, Johnson, Knight, McIntyre, O'Malley, Pollock, Powers, Price, Ragan, Smith of St. Louis, Taylor, Tiernan, Vancleve, Wells, Weygandt and Mr. Speaker—27.

ABSENT—Messrs. Bashaw, Booth, Campbell of St. Louis city, Chilton, Farr, Hale, Harrigan, Miles, Mudd of St. Louis, Saunders, Settles, Spring, Tevis, Turner and Wisby—15.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Maynard, McDaniel, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Dryden moved to reconsider the vote by which the resolution was adopted, and to lay his motion to reconsider on the table; which was agreed to.

Leave of absence was granted Mr. Mabrey on account of sickness.

The following message was received from the Senate, through its Secretary, Mr. Mayo :

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House Bill No. 709, entitled An act declaratory of the Revised Statutes of the State of

Missouri, and their effect, and to provide for their collation, editing, printing, binding, publishing and distributing the same; and has concurred in House amendment to Senate amendments Nos. 4 and 5, and receded from Senate amendments Nos. 7 and 8; which was read.

Mr. McCormick of St. Louis city, from the Committee on Blind Asylum, submitted the following report:

MR. SPEAKER: Your Committee on Blind Asylum, to whom was referred substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of Missouri, concerning the institution for the education of the blind, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate substitute for Senate bill No. 303; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Berry, Berryman, Bohannon, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Dilley, Dodson, Dougherty, Drum, Ellis, Ewing, Foster, Freed, Gray, Hayes, Hall, Harrison, Hubbard, Hynes, Helm, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Moler, Mott, Mudd of Lincoln, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Saunders, Smith of Cedar, Smith of St. Louis city, Swank, Talbot, Vancleve, Waggener, Warren, Weygandt, Whitaker, Wiley, Younger and Mr. Speaker—89.

ABSENT—Messrs. Ballew, Beckner, Bonham, Booth, Burford, Campbell of Atchison, Campbell of St. Louis city, Chilton, Creager, Davis, Diercks, Farr, Finks, Greer, Gwynne, Hale, Haynes, Harrigan, Harrington, Ingram, Johnson, Kendall, Knight, Manistre, Miles, Morrison, Mudd of St. Louis, McCormick of St. Louis city, Pehle, Pepper, Phelan, Settles, Spring, Taylor, Tevis, Tiernan, Turner, Wells, Windes and Wisby—40.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Dryden, Hammons, Maynard, McDaniel, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Moler moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred House bills Nos. 53, 80, 384, 455, 582, 266, 370, 595, 260, 177, 17, 29, 59, 242, 440, 620, 636, 216, 420 and 442, beg leave to report that they have considered the same, and report them back without recommendation; which was read.

House bills Nos. 543, 80, 384, 455, 582, 266, 370, 595, 260, 177, 17, 29, 59, 242, 440, 620, 636, 216, 420 and 442; were taken up, and, on motion, laid on the table.

Mr. Moler, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER: Your Committee on Agriculture, to whom was referred substitute in part for Senate bill No. 95, title 25, chapter 79, General Statutes, 1865, concerning diseased animals, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

Senate substitute in part for Senate bill No. 95, entitled Substitute in part for Senate bill No. 95, title 25, chapter 79, General Statutes, 1865, concerning diseased animals; was taken up, read the third time and passed by the following vote:

AYES—Messrs. Alldridge, Anderson, Andrews, Arnold, Ballew, Bashaw, Berry, Berryman, Boulware, Bowman, Brady, Brewer, Brown, Bryan, Chenoweth, Cloud, Cock, Coleman, Cooper, Craig, Creager, Crow, Dale, Dawson, Diercks, Dougherty, Drum, Dryden, Ellis, Ewing, Finks, Freed, Gray, Greer, Hayes, Hall, Hubbard, Hynes, Helm, Johnson, Kendall, Knight, Larimore, Lesueur, Lockhart, Mabrey, Mackey, Mahn, Manistre, Miles, Moler, Morrison, Mott, McCormick of St. Louis city, McIntyre, McKill, O'Malley, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Riley, Saunders, Smith of Cedar, Swank, Talbot, Vancleve, Waggener, Warren, Wells, Weygandt, Whitaker, Wiley, Windes and Wisby—76.

NOES—Messrs. Adams, Beckner, Bohannon, Collins, Cook, Cowan of Christian, Cox, Dodson, Gwynne, Harrison, Ingram, Kneisley, Louthan, Lynn, Mudd of Lincoln, McElvain, Organ, Palmer, Pepper, Price and Reynolds—21.

ABSENT—Messrs. Bonham, Booth, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chilton, Cowan of Holt, Crowther, Davis, Dilley, Farr, Foster, Hale, Haynes, Harrigan, Harrington, Lackland, Mudd of St. Louis, McCormick of Washington, McGarry, Pehle, Powell, Ragan, Settles, Smith of St. Louis city, Spring, Taylor, Tevis, Tiernan, Turner, Younger and Mr. Speaker—33.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Maynard, McDaniel, McKinney, Rawlings, Souder and Withers—10.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Warren moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred the contested election case of Edward P. Johnson vs. John D. S. Dryden, such contest being for a seat in the House of Representatives of the General Assembly of Missouri, from the first Representative district of the city of St. Louis, beg leave to say that they have considered the same, and to submit the following report:

That said contestor and contestee came before your committee and contestee filed his motion to quash contestor's depositions filed herein, on the ground that notice of the taking of such depositions was not given in time. And your committee having considered said motion, doth find that such notice was not served on contestee until the day set for the taking of the same, and not until five and a half hours after the time named therein for the commencement of the taking of the same. In the opinion of your committee, said notice of the taking of such depositions was insufficient, and the motion to quash should be sustained, which is accordingly recommended.

And said contestee filed his objection to the notice of contest herein, served upon him by the contestor upon the ground that such notice of contest does not state facts sufficient to give contestor the right to contest the election of contestee. And your committee having examined the said notice, doth believe and consider said notice of contest to be insufficient, and recommends that said notice be adjudged insufficient.

It therefore appearing to your committee that there was no sufficient notice of the contest herein, nor of the taking of the depositions, and said John D. S. Dryden holding a proper certificate of election, your committee recommend that said Dryden be declared entitled to said seat in the House.

Your committee, believing that said Edward P. Johnson, the contestor, prosecuted his contest in good faith, recommend that the House allow him a suitable sum for his expenses in such prosecution. All of which is respectfully submitted; which was read and agreed to.

Mr. Wisby, from the Committee on Internal Improvements, submitted the following report:

MR. SPEAKER: Your Committee on Internal Improvements, to whom was referred House bills Nos. 259, 347, 435, 526, 293, 285 and 574, beg leave to report that they have considered the same, and recommend that they do not pass; which was read.

House bills Nos. 259, 347, 435, 526, 293, 285 and 574; were taken up, and, on motion, laid on the table.

Mr. Arnold, from the Committee on Banks and Corporations, submitted the following report:

MR. SPEAKER: Your Committee on Banks and Corporations, to whom was referred House bills Nos. 667, 149, 132, 314, 597, 171, 454, 486, 187, 498, 38, 452, 273, 55, 37, 129, 504, 207, 278, 358, 354, 357, 353, 304, 356, 359, 607 and 668; and also, Senate bill No. 4, beg leave to report that they have considered the same and recommend that they do not pass; which was read.

House bills Nos. 667, 149, 132, 314, 597, 171, 454, 486, 187, 498, 38, 452, 273, 55, 37, 129, 504, 207, 278, 358, 354, 357, 353, 304, 356, 359, 607 and 668; and also, Senate bill No. 4; were taken up, and, on motion, laid on the table.

Mr. Hall offered the following resolution:

Resolved, That Edward P. Johnson be allowed two hundred and fifty dollars for his expenses of contest for a seat in the House, the same to be paid out of the contingent fund of the House; which was read.

Mr. Brady offered the following amendment to the resolution:

"To amend by inserting two hundred dollars instead of two hundred and fifty dollars;" which was read and not agreed to.

The question recurring upon the adoption of the resolution, the ayes and noes were demanded, and the resolution was adopted by the following vote:

AYES—Messrs. Alldridge, Arnold, Bashaw, Bohannon, Bonham, Brady, Brewer, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Cock, Coleman, Cowan of Holt, Cox, Craig, Crow, Crowther, Dale, Dawson, Dodson, Dougherty, Drum, Dryden, Ellis, Farr, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Harrington, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mahn, Manistre, Moler, Morrison, Mott, McElvain, McGarry, McIntyre, Palmer, Pepper, Phelan, Pollock, Pollard, Powers, Ragan, Riley, Saunders, Smith of St. Louis city, Wells, Weygandt, Wiley, Windes and Wisby—70.

NOES—Messrs. Adams, Andrews, Beckner, Berry, Berryman, Boulware, Bowman, Brown, Chenoweth, Cloud, Cook, Creager, Diercks, Ewing, Harrison, Hubbard, Ingram, Larimore, Mudd of Lincoln, McCormick of St. Louis city, McKill, Organ, Patterson of

Schuyler, Price, Reynolds, Swank, Talbot, Turner, Vancleve, Whitaker and Younger—31.

ABSENT—Messrs. Ballew, Booth, Chilton, Collins, Cooper, Cowan of Christain, Davis, Dilley, Finks, Hale, Harrigan, Mackey, Miles, Mudd of St. Louis, McCormick of Washington, O'Malley, Pehle, Powell, Settles, Smith of Cedar, Spring, Taylor, Tevis, Tiernan, Waggener, Warren and Mr. Speaker—27.

ABSENT WITH LEAVE—Messrs. Anderson, Carroll, Chitwood, Dade, Hammons, Mabrey, Maynard, McDaniel, McKinney, Rawlings, Souder and Withers—12.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Senate substitute in part for Senate bills Nos. 69, 51, 214 and 230, entitled An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks and banks of deposit and discount; approved May 15, 1877; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute in part for Senate bill No. 69, entitled An act relating to the incorporation of scientific, benevolent, educational and miscellaneous associations; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate Substitute No. 1 for Senate bill No. 75, entitled An act to amend and revise chapter 2, title 2, of the General Statutes of Missouri, concerning popular elections; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 192, entitled An act in relation to the formation of new counties, and to provide for the apportionment and payment of the liabilities of counties affected by the alterations of the county boundaries; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objection.

Senate substitute for Senate bill No. 329, entitled An act providing for the partition of personal property; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 142, and in part for 100, entitled An act for the government of cities of the fourth class; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objection.

Senate substitute for Senate bill No. 88, entitled An act to revise and amend title 17 of chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 272, entitled An act for the improvement of the capitol building, State armory and supreme court building, and to appropriate money therefor; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 103, entitled An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate Substitute No. 11 for Senate bill No. 82, entitled An act to revise and amend chapter 86 of the General Statutes of the State of Missouri, concerning bills of exchange and negotiable promissory notes; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Louthan, from the Committee on Insurance, submitted the following report:

MR. SPEAKER: Your Committee on Insurance, to whom was referred House bills Nos. 18, 458, 447, 663, 609, 459, 281, 446, 523, 97, 512, 93, 411, 193 and 494 relating to insurance, all of which (except 494 which was withdrawn by Representative Wisby, its author, and is still in his custody) are herewith returned, beg leave to report that they have considered the same and recommend that they be laid on the table; which was read.

House bills Nos. 18, 458, 447, 663, 609, 459, 281, 446, 523, 97, 512, 93, 411, 193; was taken up, and, on motion, laid on the table.

Mr. Anderson, from the Committee on Retrenchment and Reform, submitted the following report:

MR. SPEAKER: Your Committee on Retrenchment and Reform, to whom was referred House bills Nos. 265, 361, 371, 592, 634, 555, 204, 425, 535, 481, and Senate concurrent resolution No. 10, beg leave to report that they have considered the same and report them back without recommendation; which was read.

House bills Nos. 265, 361, 371, 592, 634, 555, 204, 425, 535 and 481 was taken up, and, on motion, laid on the table.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up House amendments to substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend the laws concerning salaries and fees, and has concurred in so much of House amendment No. 1 as reads as follows:

Amendment No. 1—Amend section 36 by striking out all of said section after the word “exceeding,” in line 11, printed bill, and insert in lieu thereof the following: “Thirty-five hundred dollars per annum for his salary and services as such clerk, to be retained out of the fees of his office. In all such cities or counties the clerk of such court shall have the right to select and appoint as many deputies, subject to the approval of the court, as may be necessary to perform the duties of his office, and shall fix the compensation of such deputies, not exceeding the sum of five thousand dollars in the aggregate, which deputy hire shall be paid out of the fees of the office;”

And has refused to concur in the latter clause of said amendment No. 1, which is as follows:

And further amend said section by striking out the words “five thousand,” in line 6 of the printed bill, and insert in lieu thereof the following words: “Four thousand;” and respectfully requests the House to recede therefrom;

That the Senate has concurred in amendments Nos. 2, 4 and 5, and amended House amendment No. 3, and concurred therein as amended, in which the concurrence of the House is respectfully requested; which was read.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House joint and concurrent resolutions Nos. 43, 54, 61 and 60, beg leave to report that they have considered the same, and recommend that they do not pass; which was read.

House joint and concurrent resolutions Nos. 43, 54, 61 and 60; were taken up, and, on motion, laid on the table.

Mr. Wisby offered the following resolution:

Resolved, That the clerk on accounts be allowed six days' pay after adjournment, to post up and balance books that have been in his charge, the same to be paid out of the contingent fund; which was read and agreed to.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate bills Nos. 320 and 161, beg leave to report that they have considered the same, and recommend that they do not pass; which was read.

Senate bills Nos. 320 and 161; were taken up, and, on motion, laid on the table.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bills Nos. 34, 43, 44, 58, 66, 67, 71, 77, 82, 85, 86, 91, 92, 96, 111, 117, 123, 135, 137, 148, 150, 163, 174, 180, 182, 183, 188, 189, 190, 198, 200, 201, 229, 220, 230, 241, 249, 252, 258, 267, 269, 291, 289, 294, 295, 300, 312, 313, 317, 321, 330, 337, 340, 341, 344, 346, 368, 377, 389, 395, 403, 405, 430, 439, 462, 463, 464, 468, 472, 475, 476, 473, 502, 506, 516, 520, 522, 527, 528, 530, 537, 563, 570, 572, 577, 600, 605, 628, 629, 651, 656, 658, 659, 676, 677, 681, 685, 695, 697, 700, 703 and 708, beg leave to report that they have considered the same, and recommend that they do not pass; which was read.

House bills Nos. 34, 43, 44, 58, 66, 67, 71, 77, 82, 85, 86, 91, 92, 96, 111, 117, 123, 135, 137, 148, 150, 163, 174, 180, 182, 183, 188, 189, 190, 198, 200, 201, 229, 220, 230, 241, 249, 252, 258, 267, 269, 291, 289, 294, 295, 300, 312, 313, 317, 321, 330, 337, 340, 341, 344, 346, 368, 377, 389, 395, 403, 405, 430, 439, 462, 463, 464, 468, 472, 475, 476, 473, 502, 506, 516, 520, 522, 527, 528, 530, 537, 563, 570, 572, 577, 600, 605, 628, 629, 651, 656, 658, 659, 676, 677, 681, 685, 695, 697, 700, 703 and 708; were taken up, and, on motion, laid on the table.

Mr. Cowan of Holt, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER: Your Committee on Benevolent and Scientific Institutions, to whom was referred House bills Nos. 429, 593, 599 and 606, beg leave to report that they have considered the same, and recommend that they do not pass; which was read.

House bills Nos. 429, 596, 599 and 606; were taken up, and, on motion, laid on the table.

On motion of Mr. Price, the House took a recess until 2½ o'clock
P. M.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.*, Campbell, in the chair.

House joint and concurrent resolution No. 49, entitled Joint and concurrent resolution, authorizing the Governor and Attorney-General to appoint an attorney to prosecute certain claims against the government of the United States; was taken up.

The question being "Shall the resolution pass, the objections of the Governor to the contrary notwithstanding;" the roll was called, and the resolution failed to pass by the following vote:

AYES—Messrs. Ballew, Boulware and Mudd of Lincoln—3.

NOES—Messrs. Adams, Alldridge, Anderson, Andrews, Arnold, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Bowman, Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Cook, Cooper, Cowan of Holt, Cowan of Christian, Cox, Craig, Crow, Crowther, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Greer, Gwynne, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard, Hynes, Helm, Ingram, Knight, Lackland, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, McCormick of Washington, McElvain, McGarry, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Powers, Price, Riley, Reynolds, Smith of Cedar, Swank, Talbot, Tiernan, Turner, Waggener, Warren, Wells, Weygandt and Wisby—86.

ABSENT—Messrs. Booth, Chilton, Collins, Creager, Dale, Davis, Dawson, Gray, Hale, Harrigan, Johnson, Kendall, Kneisley, Larimore, Miles, Moler, Mott, Mudd of St. Louis, McCormick of St. Louis city, McKill, Pehle, Phelan, Pollock, Pollard, Powell, Ragan, Saunders, Settles, Smith of St. Louis city, Spring, Taylor, Tevis, Vancleve, Whitaker, Wiley, Windes, Younger and Mr. Speaker—38.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Freed, Hammons, Mabrey, Maynard, McDaniel, McIntyre, McKinney, Rawlings, Souder and Withers—13.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. Foster, from the Committee on Militia, submitted the following report:

MR. SPEAKER: Your Committee on Militia, to whom was referred House bill No. 421, entitled An act to abolish the office of Adjutant-General, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 421; was taken up, and, on motion, laid on the table.

Mr. Organ, from the Committee on Public Printing, submitted the following report:

MR. SPEAKER: Your Committee on Public Printing, to whom was referred House bill No. 284, entitled An act to require the publication of county court proceedings, and settlements with county collectors and treasurers, beg leave to report that they have considered the same and recommend that it do not pass; which was read.

House bill No. 284; was taken up, and on motion, laid on the table.

Mr. Dryden, from the Committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred House concurrent resolutions Nos. 26, 34 and 24, beg leave to report that they have considered the same, and recommend that they be not adopted; which was read.

House joint and concurrent resolutions Nos. 26, 34 and 24; were taken up, and, on motion, laid on the table.

On motion of Mr. Lesueur, the House took a recess until 3½ o'clock.

AFTERNOON SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.* Campbell in the chair.

Mr. Bashaw, from the Committee on Elections, submitted the following report:

MR. SPEAKER: Your Committee on Elections, to whom was referred House bills Nos. 531, 688, 696, 654 and resolution of instruction No. 56, beg leave to report that they have considered the same, and report same back to the House without recommendation; which was read.

House bills Nos. 531, 688, 696, 654 and resolution of instruction No. 56; were taken up, and, on motion, laid on the table.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 1, 1879. }

HON. J. ED. BELCH, Speaker House of Representatives:

SIR—I return to the House, with my approval indorsed thereon, bills of the following titles:

An act regulating the compensation of the sheriff of the city of St. Louis;

An act to enable cities and towns to fund their existing bonded indebtedness at a lower rate of interest, and to provide for the payment of judgments;

An act supplemental and amendatory of an act entitled an act to revise and amend title 36, chapter 174 of the General Statutes of the State of Missouri, concerning the publication of judicial notices and

other matters, approved May 10, 1879, by amending the third section of said act.

Very respectfully,

JOHN S. PHELPS.

Which was read.

Mr. Bashaw from the Committee on Elections, submitted the following report :

MR. SPEAKER: Your Committee on Elections, to whom was referred the contested election case of Strawhen against Bowman, beg leave to report that contestant has not prosecuted his contest before your committee, and report the papers and evidence herein back to the House, without recommendation ; which was read.

On motion of Mr. Farr, the report was laid on the table.

Mr. Cowan of Holt offered the following resolution :

Resolved, That His Excellency, the Governor, be requested to return to the House, House bill 119, in order that it may be correctly enrolled ; which was read and adopted.

Senate substitute No. 1, for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32 of the General Statutes of the State of Missouri, concerning salaries and fees ; was taken up with the following Senate amendment to House amendment No. 3, (said amendment to amendment having been printed) :

Amend House amendment No. 3 by striking out the words "twelve hundred," and insert in lieu thereof, the words "eleven hundred dollars;" and further provided, that the provisions of this section shall not take effect until after the expiration of the terms of office of the present clerks of courts of record ; which was read and concurred in by the following vote :

AYES—Messrs. Adams, Alldridge, Anderson, Arnold, Bal-
lew, Bashaw, Berry, Berryman, Bonham, Boulware, Bowman,
Brady, Brewer, Brown, Bryan, Burford, Campbell of Atchison, Carle-
ton, Chenoweth, Cloud, Cock, Coleman, Cook, Cowan of Christian,
Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Diercks, Dilley,
Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster,
Gray, Greer, Hayes, Hall, Haynes, Harrington, Harrison, Hubbard,
Hynes, Helm, Ingram, Kendall, Kneisley, Larimore, Lesueur, Lockhart,
Louthan, Lynn, Mackey, Mahn, Manistre, Moler, Morrison, Mott, Mudd
of Lincoln, McCormick of St. Louis city, McCormick of Washing-
ton, McDaniel, McElvain, McGarry, McIntyre, McKill, O'Malley,
Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Powell, Price,
Powers, Ragan, Riley, Reynolds, Smith of Cedar, Talbot, Taylor,
Turner, Vancleve, Waggener, Wells, Windes, Wisby and Younger—95.

NOES—Mr. Gwynne—1.

ABSENT—Messrs. Andrews, Beckner, Bohannon, Booth, Campbell of St. Louis city, Chilton, Collins, Cooper, Dale, Davis, Dawson, Hale, Harrigan, Johnson, Knight, Lackland, Miles, Mudd of St. Louis, Pehle, Pollock, Pollard, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Tevis, Tiernan, Warren, Weygandt, Whitaker, Wiley and Mr. Speaker—33.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Freed, Hammons, Mabrey, Maynard, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

Mr. McIntyre moved that the House recede from that part of House amendment No. 1, from the word "office" in line 19 of written amendment, in which the Senate refused to concur; which was agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Yost:

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 19, 1879. }

Hon. J. ED. BELCH, Speaker House of Representatives:

SIR—In compliance with the request of the House of Representatives of this date, I have the honor to transmit herewith House bill No. 119.

Very respectfully,
JOHN S. PHELPS.

Which was read.

House bill No. 119; was taken up, and, on motion, referred to the Committee on Enrolled Bills.

Mr. Louthan, from the Committee of Conference on Senate substitute for Senate bill No. 87, submitted the following report:

MR. SPEAKER: The House Conference Committee, to whom was referred the House amendments to substitute for Senate bill No. 87, in which the Senate refused to concur, beg leave to state that we met with the Senate Conference Committee, and, after duly considering same, we agreed upon a report: That it was made out in duplicate, in conformity to said agreement, and was duly signed by us and delivered to the chairman of the Senate Committee of Conference at 9 o'clock this morning, with the understanding that when signed by them, the House copy would be returned us for the action of our House. We further state that we know of no good reason for its further delay, and protest against the right of the Senate Conference Committee to withhold it longer. Done this May 19, 1879, at 3:15 o'clock P. M. John J. Louthan, B. M. Dilley, House Conference Committee; which was read.

Mr. Cowan of Holt offered the following resolution:

Resolved, That the Committee on Enrolled Bills be authorized to insert the following title to House bill No. 119: An act for the relief of Henry Debolt, and to appropriate money therefor; which was read and adopted.

Mr. Dale, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: In compliance with a resolution passed by your body on to-day, directing the Committee on Enrolled Bills to insert the following title on House bill No. 119, to-wit: An act for the relief of Henry Debolt, and to appropriate money therefor, beg leave to report that they have complied with the instruction of the House, and herewith report the same back to the House; which was read.

Mr. Cox offered the following resolution:

Resolved, That the thanks of this House are due and hereby tendered to Hon. J. Ed. Belch, for the fidelity and impartiality with which he has performed the arduous duties of Speaker of this House during the session now about to close, and in this hour of our separation we pledge to him our best and most hearty wishes for his happiness and success in life; which was read and adopted.

Mr. Cowan of Holt offered the following resolution:

Resolved, That the thanks of this House be tendered to the Hon. R. A. Campbell, Speaker *pro tem.*, for the prompt, efficient and impartial manner in which he has discharged the duties of his office; which was read and adopted.

Mr. Taylor offered the following resolution:

Resolved, That the thanks of this House be tendered to the Chief Clerk, Assistant Chief Clerk, Sergeant-at-Arms, Doorkeeper, and other officers of this House, for the prompt, efficient and satisfactory manner in which they have discharged the onerous and important duties of their respective positions, and for their courteous demeanor to the members of the House; which was read and adopted.

Mr. Organ, from the Committee on Unfinished Business, submitted the following report:

MR. SPEAKER: Your Committee on Unfinished Business, to whom was referred House concurrent resolution No. 39, entitled Joint and concurrent resolution for the formation of the State of North Missouri, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House concurrent resolution No. 39; was taken up, and, on motion, laid on the table.

Mr. Davis offered the following resolution:

Resolved, That the thanks of this House be tendered the postmaster of this House for the prompt and efficient manner in which he

has discharged the duties of his office; which was read and adopted.

On motion of Mr. Price, the House took a recess until 7½ o'clock P. M.

EVENING SESSION.

The hour of recess having expired,

The House was called to order.

Speaker *pro tem.* Campbell in the chair.

Mr. Collins, from the Committee on Federal Relations, submitted the following report:

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred House bill No. 262, and House concurrent resolutions Nos. 44, 50, 9, 64, 38, 45, 1, 30, 25 and 47, beg leave to report that they have considered the same, and report them back without recommendation; which was read.

House bill No. 262, and House concurrent resolutions Nos. 44, 50, 9, 64, 45, 1, 30, 25 and 47; were taken up, and, on motion, laid on the table.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and concurred in House amendments to substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend the laws concerning legislative proceedings, etc.;

Also, that the Senate has concurred in all of House amendments to substitute for Senate bills Nos. 221 and 68, concerning the incorporation of manufacturing and business companies, etc.; which was read.

Senate substitute for Senate bills Nos. 10, 29 and 32, entitled An act to control the forfeiture of life insurance policies; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate bill No. 368, entitled An act to regulate the examination and approval of official bonds, and to provide for the bringing and prosecuting of suits thereon; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 1 for Senate bill No. 52, entitled An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, in the General Statutes of the State of Missouri; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 70, entitled An act to revise amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills would respectfully report that they have carefully examined House bill No. 709, entitled An act declaratory of the Revised Statutes of the State of Missouri and their effect, and to provide for their collation, editing, printing, binding, publishing and distributing the same, and find the same truly and correctly enrolled; which was read.

House bill No. 709; was taken up, read at length by the Clerk, signed by the Speaker *pro tem.*, without objections, and presented by the Chief Clerk to the Governor.

Mr. McIntyre, from the Committee on Judiciary, submitted the following report:

MR. SPEAKER: Your Committee on Judiciary, to whom was referred House bill No. 62, entitled An act to amend section 10 of the General Statutes of 1865, entitled of dower, beg leave to report that they have considered the same, and recommend that it do not pass; which was read.

House bill No. 62; was taken up, and, on motion, laid on the table.

Mr. Cox offered the following resolution:

WHEREAS, The arduous duties devolving upon the Chief Clerk of this General Assembly, Mr. W. S. Seymour, having been discharged with such promptness and dispatch as to greatly facilitate the business of the House; therefore, be it

Resolved, That the thanks of this House are due and are hereby tendered to him for the very able and efficient manner that he has discharged the important duties of his office; which was read and adopted:

Senate substitute in part for Senate bill No. 95, entitled An act to revise and amend part of chapter 79, General Statutes 1865, concerning restraint of animals and diseased animals, and to prohibit the introduction of diseased Texas, Mexican, Cherokee or Indian cattle into this State, and prescribing liability therefor; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Wells offered the following resolution:

WHEREAS, Chief Clerk Seymour, at the commencement of this session, selected for minute, docket and journal clerks Messrs. Noland, Balthis, Hill, Edwards, Boon, Kenefick, Bull, Morris, Plummer, Crowder, Roche, Carter, Knott and Hooper ; and,

WHEREAS, The said gentlemen have so faithfully discharged the responsible duties assigned each of them, that they merit the warmest thanks of the members of this House ; therefore, be it

Resolved, That the thanks of the members of the House be tendered to the above named gentlemen, for the faithful manner in which they have performed their work, and that they are entitled to, and we hereby tender them, our thanks for their courteous demeanor and uniform kindness in every instance in which we came in contact ; which was read and adopted.

Mr. Cowan of Holt offered the following resolution :

Resolved, The thanks of this House be tendered to the pages, who by their attention, diligence and courtesy have endeared themselves to the members of this House, and have earned for themselves the encomium " well done, good and faithful servants ;" which was read and adopted.

Mr. Price offered the following resolution :

Resolved, That the thanks of this House are due to the people of Jefferson City for their generous hospitality shown the members thereof during this present session ; which was read and adopted.

Senate substitute No. 9 for Senate bill No. 82, entitled An act to revise and amend an act entitled an act of merchants and their licenses ; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Crowther offered the following resolution :

Resolved, That the thanks of the House are due, and are hereby tendered to J. H. Hawley, Official Reporter, for the ability and faithfulness with which he has discharged the duties of his position ; which was read and adopted.

Mr. Riley offered the following resolution :

Resolved, That the thanks of this House are due to Representatives McIntyre, McDaniel, Dryden and Anderson, for their unremitting labor, their faithful work in the revision of the Statutes of the State of Missouri ; and that the success of that work is due in part to their distinguished ability, together with the conviction that it was a work greatly demanded at this time in all the departments of the administration of justice ; which was read and adopted.

Senate bill No. 302, entitled An act fixing the liability of common carriers receiving property for transportation ; was taken up, read at

length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Mr. Taylor offered the following resolution :

Resolved, That the thanks of this House are hereby tendered to the representatives of the press who have been upon the floor during the session, for the fair, accurate and impartial manner with which they have reported the proceedings of the House, thus bringing to the people whom we represent, correct accounts of what has been said and done by the members during the session; which was read and adopted.

Mr. Cook offered the following resolution :

Resolved, That the thanks of the 30th General Assembly are due to the night watch, sweeper and other attendants on this House during the present session, for their faithful attention to their respective duties; which was read and adopted.

Mr. Bashaw offered the following resolution :

Resolved, That the thanks of this House are due, and are hereby tendered to J. B. Thompson, Engrossing Clerk; F. L. Wensel, Enrolling Clerk; and J. Horace Miller, Clerk on Accounts, for the prompt, efficient and faithful manner in which they have performed the duties of their respective offices; which was read and adopted.

Senate substitute No. 6 for Senate bill No. 100, entitled An act relating to city, town and other plats; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 85, entitled An act to revise and amend title 6 chapter 14 of the General Statutes of Missouri, entitled of the State interest fund and the State sinking fund; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 303, entitled An act to revise and amend chapter 58 of the General Statutes of Missouri, concerning the institution for the education of the blind; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bills Nos. 65 and 287, entitled An act to revise and amend an act for the support of the poor, was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute for Senate bill No. 221, and in part for No. 68, entitled An act relating to the incorporation of manufacturing and business companies; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Senate substitute No. 1 for Senate bills Nos. 77 and 158, entitled An act to revise and amend chapters 4, 6 and 8 of the General Statutes of the State of Missouri, concerning legislative proceedings; was taken up, read at length by the Clerk, and signed by the Speaker *pro tem.*, without objections.

Leave of absence was granted Mr. Waggener for the balance of the session.

On motion of Mr. Organ, the House took a recess until 8 o'clock to-morrow morning.

The hour of recess having expired,

The House was called to order.

Speaker Belch in the chair.

Senate substitute No. 1 for Senate bill No. 67, entitled An act to revise and amend title 9, chapters 31 and 32 of the General Statutes of the State of Missouri, concerning salaries and fees; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Mr. Cox offered the following resolution:

WHEREAS, There seems to be some misunderstanding as to the time when the clerks under the Chief Clerk should commence to draw their pay: therefore

Be it resolved, That all the clerical force under the Chief Clerk, who were present and assisted at the organization of the House, be allowed to draw their pay from the day the House organized; which was read and adopted.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate bill No. 266, entitled An act declaring certain State bonds due and payable, and authorizing the fund commissioners to sell five per cent. bonds to redeem the bonds so declared due and payable, beg leave to report the same without recommendation; which was read.

Mr. Price moved that the House adjourn.

The ayes and noes being demanded, the motion to adjourn prevailed by the following vote.

AYES—Messrs. Adams, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Brady, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Craig, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dougherty, Ewing, Farr, Finks, Freed, Greer, Gwynne, Hayes, Haynes, Harrington, Hynes, Helm, Hammons, Harrigan, Harrison, Ingram,

Johnson, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mabrey, Mackey, Mahn, Maynard, Manistre, Miles, Moler, Mott, Mudd of Lincoln, Mudd of St. Louis, McDaniel, McElvain, McCormick of St. Louis city, McKinney, McGarry, McIntyre, McKill, O'Malley, Organ, Patterson of Linn, Patterson of Schuyler, Pehle, Phelan, Pepper, Pollard, Pollock, Powers, Powell, Ragan, Rawlings, Riley, Reynolds, Smith of Cedar, Smith of St. Louis city, Saunders, Settles, Souder, Spring, Swank, Talbot, Taylor, Tevis, Tiernan, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Younger and Mr. Speaker—108.

NOES—Messrs. Alldridge, Anderson, Bowman, Brown, Cox, Crea-ger, Dodson, Drum, Ellis, Gray, Hubbard, Knight, Morrison, McCormick of Washington, Palmer and Price—16.

ABSENT—Messrs. Andrews, Arnold, Booth, Brewer, Carroll, Burrows, Chilton, Chitwood, Dade, Dilley, Dryden, Foster, Hall, Hale, Ham, Vancleve, Waggener, Whitaker and Withers—19.

ONE HUNDRED AND TENTH DAY—TUESDAY, May 20, 1879.

MORNING SESSION.

House met pursuant to adjournment.

Speaker Belch in the chair.

Prayer by the chaplain, Rev. J. H. Matthews.

The journal of yesterday was being read, when,

On motion of Mr. Wells, the further reading was dispensed with.

Mr. Riley offered the following resolution:

Resolved, That a joint committee of two from the Senate and three from the House be appointed to inform His Excellency, the Governor, that the Thirtieth General Assembly will adjourn on this day at 10 o'clock A. M., and that he is requested to make such further communications, if any, that he may deem for the interest of the State; which was read and adopted.

Senate bill No. 266, entitled An act declaring certain State bonds due and payable, and authorizing the fund commissioners to sell five

per cent. bonds to redeem the bonds so declared due and payable; was taken up.

Mr. Gray moved to lay the bill on the table.

The ayes and noes being demanded, the motion to lay on the table did not prevail by the following vote :

AYES—Messrs. Alldridge, Andrews, Bashaw, Berry, Burford Cloud, Cooper, Cowan of Christian, Dawson, Gray, Hall, Harrison, Hynes, Ingram, Johnson, Pepper, Powell and Younger—18.

NOES—Messrs. Adams, Anderson, Ballew, Beckner, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cock, Coleman, Collins, Cook, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Haynes, Harrington, Hubbard, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Lynn, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McDaniel, McElvain, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Smith of Cedar, Taylor, Tiernan, Turner, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—86.

ABSENT—Messrs. Arnold, Booth, Brewer, Chilton, Diercks, Hale, Harrigan, Knight, Louthan, Miles, Moler, Mudd of St. Louis, Pehle, Reynolds, Saunders, Settles, Smith of St. Louis city, Swank, Spring, Talbot, Tevis, Vancleve, Waggener, Warren and Whitaker—25.

ABSENT WITH LEAVE—Messrs. Carroll, Chitwood, Dade, Hammons, Mabrey, Maynard, McIntyre, McKinney, Rawlings, Souder and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The Speaker appointed as a joint committee, on the part of the House, to wait upon the Governor, Messrs. Collins, Cowan of Holt, and Riley.

Senate bill No. 266, was then read the third time, and passed by the following vote :

AYES—Messrs. Anderson, Ballew, Bashaw, Berry, Berryman, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Greer, Gwynne, Hayes, Haynes, Harrington, Hubbard, Helm, Kendall, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of

Washington, McCormick of St. Louis city, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Smith of Cedar, Talbot, Taylor, Tiernan, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby and Mr. Speaker—88.

NOES—Messrs. Adams, Alldridge, Andrews, Beckner, Bohannon, Burford, Cloud, Cowan of Christian, Dawson, Gray, Harrison, Hynes, Ingram, Johnson, Knight, McElvain, Pepper, Powell and Reynolds—19.

ABSENT—Messrs. Arnold, Brewer, Chilton, Chitwood, Hall, Hale, Harrigan, Mabrey, Maynard, Miles, Moler, Mudd of St. Louis, Pehle, Settles, Smith of St. Louis city, Spring, Swank, Tevis, Vancleve, Waggener, Whitaker and Younger—22.

ABSENT WITH LEAVE—Messrs. Booth, Carroll, Dade, Hammons, McDaniel, McIntyre, McKinney, Rawlings, Saunders, Souder and Withers—11.

SICK—Messrs. Burrows, Ham and Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Davis moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

Mr. Davis, from the Committee on Ways and Means, submitted the following report:

MR. SPEAKER: Your Committee on Ways and Means to whom was referred Senate bill No. 369, entitled An act relating to the appointment of a committee to settle with the State Treasurer, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

Senate bill No. 369; was taken up, read the third time, and passed by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Harrison, Hubbard, Hynes, Helm, Kendall, Knight, Kneisley, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Morrison, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McIntyre, McGarry, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Phelan, Pollock, Pollard, Powers, Price, Ragan, Riley, Smith of

Cedar, Tiernan, Turner, Wells, Weygandt, Wiley, Windes, Wisby, Younger and Mr. Speaker—98.

NOES—Messrs. Bohannon, Cowan of Christian, Ingram, Johnson and Reynolds—5.

ABSENT—Messrs. Arnold, Booth, Brewer, Burrows, Chilton, Carroll, Chitwood, Dade, Hale, Ham, Hammons, Harrigan, Harrington, Manistre, Mabrey, Maynard, Miles, Moler, Mott, Mudd of St. Louis, McDaniel, McKinney, Patterson of Linn, Pehle, Pepper, Powell, Rawlings, Saunders, Settles, Souder, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Vancleve, Waggener, Warren, Whitaker and Withers—40.

The emergency clause was adopted by the following vote:

AYES—Messrs. Adams, Alldridge, Anderson, Andrews, Ballew, Bashaw, Beckner, Berry, Berryman, Bohannon, Bonham, Boulware, Bowman, Brady, Brown, Bryan, Burford, Campbell of Atchison, Campbell of St. Louis city, Carleton, Chenoweth, Cloud, Cock, Coleman, Collins, Cook, Cooper, Cowan of Christian, Cowan of Holt, Cox, Craig, Creager, Crow, Crowther, Dale, Davis, Dawson, Diercks, Dilley, Dodson, Dougherty, Drum, Dryden, Ellis, Ewing, Farr, Finks, Foster, Freed, Gray, Greer, Gwynne, Hayes, Hall, Haynes, Harrison, Hubbard, Hynes, Helm, Johnson, Kendall, Kneisley, Knight, Lackland, Larimore, Lesueur, Lockhart, Louthan, Lynn, Mackey, Mahn, Manistre, Morrison, Mott, Mudd of Lincoln, McCormick of Washington, McCormick of St. Louis city, McElvain, McGarry, McIntyre, McKill, O'Malley, Organ, Palmer, Patterson of Schuyler, Pepper, Phelan, Pollock, Pollard, Powell, Powers, Price, Ragan, Riley, Reynolds, Smith of Cedar, Tiernan, Turner, Warren, Wells, Weygandt, Wiley, Windes, Wisby, Younger and Mr. Speaker—106.

NOES—Messrs. Ingram—1.

ABSENT—Messrs. Arnold, Brewer, Chilton, Chitwood, Hale, Harrigan, Harrington, Mabrey, Maynard, Miles, Moler, Mudd of St. Louis, Pehle, Saunders, Settles, Smith of St. Louis city, Spring, Swank, Talbot, Taylor, Tevis, Vancleve, Waggener and Whitaker—24.

ABSENT WITH LEAVE—Messrs. Booth, Carroll, Dade, Hammons, McDaniel, McKinney, McKinney, Rawlings, Souder and Withers—9.

SICK—Messrs. Burrows, Ham, Patterson of Linn—3.

The title of the bill was read and agreed to.

Mr. Campbell of St. Louis city moved to reconsider the vote by which the bill passed, and to lay his motion to reconsider on the table; which was agreed to.

The following message was received from the Senate, through its Secretary, Mr. Mayo:

MR. SPEAKER: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the resolution in relation to informing the Governor of the adjournment of the 30th General Assembly, and the President of the Senate has appointed as such committee, Senators Morrison and Gottschalk; which was read.

Mr. Collins, from the Special Committee, appointed to wait upon the Governor, submitted the following report:

MR. SPEAKER: Your Committee on the part of the House, appointed to inform His Excellency, the Governor, that the Thirtieth General Assembly is about to adjourn *sine die*, at 10 o'clock A. M., of this day, report that they have performed that duty, and that His Excellency informed your committee that he had no further communication to make to this body, except that he extended to the members of this body his sincere wish that they might all arrive safe at their homes and find their families enjoying the blessings of a bountiful Providence; which was read.

Mr. Davis, from the Special Joint Committee, appointed under An act declaring that certain bonds have been paid and are no longer a claim against the State, etc., submitted the following report:

MR. SPEAKER: The joint committee of two members of the Senate and two members of the House of Representatives, appointed under An act declaring that certain bonds have been paid and are no longer a claim against the State, and directing their cancellation, beg leave to report that, in obedience to the requirements of the said act, they proceeded to the State treasury and took possession of all the bonds therein, known as railroad bonds, and caused the same, together with their attached coupons, to be canceled in the ordinary way by punching round holes in each bond and coupon, and delivered the same to the auditor, and have made a schedule of the bonds canceled, and annex the same to this report as a part thereof. M. H. Phelan, E. M. Edwards, of the Senate; Samuel Davis, Geo. W. Mahn, of the House, committee: which was read and adopted.

Mr. Freed, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, to whom was referred joint and concurrent resolution No. 65, entitled House joint and concurrent resolution, authorizing the Warden of the penitentiary to build a hook and ladder truck, beg leave to report that they have considered the same, and recommend that it do pass; which was read.

House joint and concurrent resolution No. 65; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

Senate bill No. 369, entitled An act relating to the appointment of a committee to settle with the State Treasurer; was taken up, read at length by the Clerk, and signed by the Speaker, without objections.

The Speaker appointed, as a committee to settle with the State Treasurer, Messrs. Davis, Lesueur and Wiley.

The hour having arrived for the adjournment of Thirtieth General Assembly, *sine die*, in pursuance of substitute for House joint and concurrent resolutions Nos. 53 and 62, entitled Joint and concurrent resolution in relation to adjournment,

The Speaker declared the House of Representatives of the Thirtieth General Assembly of the State of Missouri, adjourned *sine die*.

J. ED. BELOCH,

Speaker of the House.

Attest:

W. S. SEYMOUR, Chief Clerk.

SUPPLEMENT.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 22, 1879.)

Hon. M. K. McGRATH, Secretary of State:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the Senate, of the following titles, presented to me, within the ten days next preceding the adjournment of the General Assembly:

An act to revise and amend an act to provide for the support of the poor;

An act entitled an act of merchants and their licenses, being chapter 93 of the General Statutes of Missouri;

An act to revise and amend title six (6) of chapter fourteen (14) of the General Statutes of the State of Missouri, entitled of the State interest fund and the State sinking fund.

An act to amend and revise chapter 2, title 2 of the General Statutes of Missouri, concerning popular elections;

An act to revise and amend title 9, chapters 31 and 32 of the General Statutes of the State of Missouri, concerning salaries and fees;

An act to provide for the incorporation of mutual saving fund, loan and building associations.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 24, 1879.)

Hon. M. K. McGRATH, Secretary of State:]

SIR—I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the Senate, of the following

titles, presented to me within the ten days next preceding the adjournment of the General Assembly:

An act to revise and amend chapters 133, 134, 136 and 137, concerning courts of record, of the General Statutes of the State of Missouri;

An act relating to the incorporation of manufacturing and business companies;

An act to revise and amend title 17, chapter 48 of the General Statutes of the State of Missouri, concerning swamp lands;

An act to revise and amend the Insurance laws of the State of Missouri;

An act to revise and amend chapters 120, 121, 122, 123, 124, 125, 126, 127 and 128 of title 32 of the General Statutes of the State of Missouri, concerning estates of deceased persons;

An act to revise and amend part of chapter 79, General Statutes, 1865, concerning restraint of animals and diseased animals, and to prohibit the introduction of diseased Texas, Mexican, Cherokee or Indian cattle into this State, and prescribing liabilities therefor;

An act relating to city, town and other plats;

An act to revise and amend chapters 4, 6 and 8 of the General Statutes of the State of Missouri, concerning legislative proceedings.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 31, 1879. }

Hon. M. K. McGRATH, Secretary of State:

SIR—I have the honor to transmit to you, with my approval indorsed thereon, bills which originated in the Senate, of the following titles, presented to me within the ten days next preceding the adjournment of the General Assembly:

An act for the government of cities of the fourth class;

An act to revise and amend chapter 58 of the General Statutes of the State of Missouri, concerning the institution for the education of the blind;

An act to revise and amend chapters 63, 64, 65 and 66 of the General Statutes of the State of Missouri, concerning corporations;

An act to revise and amend an act entitled an act to provide for the organization and conduct of savings banks, and banks of deposit and discount, approved May 15, 1877;

An act to appropriate money for the payment of the judge of the sixteenth judicial circuit, for presiding over the Hannibal court of common pleas.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., May 31, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR—I have the honor to transmit to you, with my approval indorsed thereon, bills which originated in the House of Representatives, of the following titles, presented to me within the ten days next preceding the adjournment of the General Assembly :

An act to authorize and direct county courts in the State of Missouri to cause accurate surveys and plats to be made of lands embraced within French and Spanish claims in the State of Missouri, in order to legally assess them ;

An act declaratory of the Revised Statutes of the State of Missouri, and their effect, and to provide for the collation, editing, printing, binding, publishing and distributing the same ;

An act for the relief of Henry DeBolt, and to appropriate money therefor ;

An act to provide for the government of the State Penitentiary, and the appointment of officers therefor, and defining their duties.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., June 11, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR—I herewith transmit to you, with my approval indorsed thereon, a bill which originated in the Senate, of the following title, presented to me within the ten days next preceding the adjournment of the General Assembly :

An act fixing the liability of common carriers receiving property for transportation.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., June 11, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR—I herewith transmit to you, with my approval endorsed thereon, bills which originated in the House of Representatives, of the following titles, presented to me within the ten days next preceding the adjournment of the General Assembly :

An act for the relief of Thomas Wallace, and to appropriate money therefor ;

An act to regulate the inspection of petroleum oils, and all products thereof, manufactured or sold for illuminating purposes in this State.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., June 7, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR—I transmit to you House bill No. 630, entitled An act to amend section 31 of chapter 122 of the General Statutes of Missouri of 1865, with my reasons for withholding my approval of the same.

The constitution, section 28, article 4, provides: "No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject, which shall be *clearly expressed* in its title."

It was the intention of the Legislature to amend the law respecting executors and administrators, and to authorize sales of real

estate for the payment of debts in cities of one hundred thousand inhabitants, or more, to be made at an established real estate exchange, if the court should so direct. There is no subject matter expressed in the title of this bill, and therefore the requirements of the constitution, in this respect, have not been complied with. In my opinion, this provision of our constitution is mandatory and not merely directory. Because the subject of this bill is not clearly expressed in its title, I refuse to approve of it.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE, }
JEFFERSON CITY, Mo., June 7, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR—I transmit to you House bill No. 633, entitled An act to amend section forty-two of chapter one hundred and sixty of the General Statutes of Missouri of 1865, with my reasons for withholding my approval of the same.

The constitution, section 28, article 4, provides : “ No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject, which shall be *clearly expressed* in its title.”

The object of this bill is to provide that in cities of one hundred thousand inhabitants, or more, sales of real estate on execution may be made at a real estate exchange, if so designated by the officer in his advertisement of the sale. There is no subject matter expressed in the title of this bill, and therefore the requirements of the constitution, in this respect, have not been complied with.

In my opinion, this provision of our constitution is mandatory and not merely directory. Because the subject of this bill is not clearly expressed in its title, I decline to approve of it.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
CITY OF JEFFERSON, June 9, 1879. }

HON. M. K. McGRATH, Secretary of State:

SIR:—I herewith transmit to you Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the State Seminary Fund for the years 1879 and 1880, without any approval endorsed thereon.

In the general appropriation act, approved March 24, 1879, the amount necessary to pay all the interest on the debt of the State was appropriated, amounting to the sum of \$2,010,960, for the years 1879 and 1880. This sum includes the amount of interest which will accrue for two years on the State bonds held in trust by the State for the Seminary Fund, as well as all other indebtedness of the State, except the interest on the revenue bonds; therefore, this bill is unnecessary.

Very respectfully,
JOHN S. PHELPS.

EXECUTIVE OFFICE,
CITY OF JEFFERSON, June 11, 1879. }

HON. M. K. McGRATH, Secretary of State:

SIR—I herewith transmit to you a bill, which originated in the Senate, entitled An act relating to the appointment of a committee to settle with the State Treasurer, without my approval indorsed thereon. The committee of the members of Legislature, who were appointed by the Executive to make settlement with the State Auditor and State Treasurer, entered before the Legislature convened, on the discharge of the duties assigned them. They were many days engaged in examining the vouchers in the offices of the Auditor and Treasurer, and, afterwards, made their report to the Legislature. This report was not approved by the Legislature; and, consequently, no actual settlement was made and approved.

The bill, under consideration, provides for a settlement of the accounts of the State Treasurer only, and not for the settlement of the accounts of the Auditor. It is desirable a settlement of the accounts of both of these officers should be made to the first of January last; and of the accounts of the Treasurer from the 1st of January last to the 14th day of April, the date of the approval of the new bond of the

Treasurer. The accounts of these two officers are so intimately connected that the accounts of both should be settled at the same time.

Because this bill does not provide for the settlement of the accounts of both these officers, and because the bill proposes to assign a committee, composed of members of both houses, after the adjournment of the Legislature, to the performance of other than legislative duties—or duties not connected with the revision and promulgation of the revised laws, and to direct that additional compensation be made therefor; and because no committee has been, nor can be now, appointed on the part of the Senate, I decline to approve of this bill.

Very respectfully,

JOHN S. PHELPS.

EXECUTIVE OFFICE,
JEFFERSON CITY, Mo., June 11, 1879. }

Hon. M. K. McGRATH, Secretary of State :

SIR: I herewith transmit you a bill, which originated in the House of Representatives, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6, with my reasons for not approving the same.

The laws of this State declare all officers shall hold their offices until their successors are elected or appointed, commissioned and qualified. The Constitution declares that when any vacancy in office shall be filled, the person appointed "shall continue in office until a successor shall have been duly elected or appointed and qualified according to law." The law contemplates that persons who have been duly appointed to office and have entered on the discharge of the duties pertaining thereto, cannot by their act alone be relieved from the discharge of its duties or voluntarily abandon the office. By accepting an office the person accepting promises to discharge the duties of the office during the entire term for which he shall have been appointed, and until his successor shall be qualified. Hence the commissions issued to officers who have been appointed to fill vacancies in this State, define the term of office, and also authorize and require the incumbent to continue in the discharge of its duties till his successor shall be qualified. But it is urged by some that the acceptance of a resignation is not necessary to retire the incumbent

from the "burdens and cares of office." I do not approve of this doctrine. On the contrary, one who seeks to be relieved from office by resignation, must deliver his resignation to the proper officer, who must accept it, and make official note of the same, and the fact of acceptance ought to be communicated to the incumbent.

For a long time in this State, under every road law from 1835 to the present date (and that law has often been re-enacted) overseers of roads have been compelled to discharge the duties of the office, and if they should refuse to accept the office, they were subject to a criminal prosecution, for which the punishment was and is a fine. Overseers were required to perform the duties of the office for at least one year before the county court could release them from the office. They could not refuse to accept the office, nor could they resign within one year from the date of their appointment. They were compelled to accept the office, and in this respect like unto those who are members of municipal corporations, who may, if eligible, be compelled to discharge the duties of the office imposed on them, or submit to such punishment as may be prescribed.

It is an established principle of law that a municipal corporation may compel its members to discharge the duties of an office; in other words, to accept an office, or, by means of a by-law, impose a pecuniary penalty upon such as refuse without legal excuse. And if it be true that municipal corporations obtain all their powers by virtue of grants from the Legislature, then has the Legislature the power to require any of its citizens who are eligible to accept an office, or suffer a penalty for refusing it, or after having accepted the office, to require him to discharge the duties of the office for its full legal term, unless relieved therefrom by the acceptance of a resignation submitted to the appointing power. The Legislature can grant no power unless the Legislature possesses such power, and may itself exercise it.

I adopt the views expressed by Ruffin, C. J., of North Carolina, in the case of *Hoke vs. Henderson*, 4th Dev. Rep.:

"It has been said that the obligation to continue in office ought to be mutual to be complete, and that such is not the case because the officer may at his pleasure resign. The argument on behalf of the power to discharge an officer assumes the right of the officer to discharge himself; and in that point differs entirely from the law as it stands in the conception of the court. An officer may certainly resign, but without acceptance, his resignation is nothing, and he remains in office. It is not true that an office is held at the will of either party; it is held at the will of both. Generally, resignations are accepted, and that has been so much a matter of course with

respect to lucrative offices as to have grown into a common notion that to resign is a matter of right. But it is otherwise. The public has a right to the services of all the citizens, and may demand them in all civil departments as well as in the military. * * * Every man is obliged, upon a general principle, after entering upon office to discharge the duties of it while he continues in office, and he cannot lay it down until the public, or those to whom the authority is confided, are satisfied that the office is in a proper state to be left, and the officer discharged. The obligation is, therefore, strictly mutual, and neither party can forcibly violate it. If indeed the public change the emoluments of office it is another question, whether that be not an implied permission for the officer to retire at his election, unless the contrary be provided in the law. For I cannot doubt that the Legislature has the perfect power, if it choose arbitrarily to exercise it, of compelling, not indeed a particular man designated in a statute by name, but any citizen elected or appointed as by law prescribed, to serve in office even against his will. I have mentioned some instances in which it is done, and there is no reason why, making due compensation, it may not be done as to all offices."

In the case of the State, etc., vs. Boecker, 56 Mo. Reps., 17, it was held that a resignation, to take effect at a future time, was a mere evidence of an intention to resign, and subject to be withdrawn by the party making it at any time before the time indicated, and afterwards by consent of the appointing power. In this case the clerk of the county court filed his resignation with said court, to take effect at a future day, and a copy of the resignation was sent to the Governor, who made an appointment, over the objection of the incumbent, and fifty days before any vacancy could occur. The court says: "The resignation was really in the keeping and under the control of the defendant. It could not amount to a complete and legal resignation, either present or prospective, *until it was actually delivered to the Governor, and accepted by him*, with the knowledge and consent of the defendant. The delivery was not only without his consent, but against his express wishes and protest."

The bill under consideration consists of two sections. The first section is as follows :

"SECTION 1. Section one of chapter sixteen of the General Statutes of the State of Missouri, is hereby amended so as to read as follows: Section 1. All officers elected or appointed by the authority of the laws of this State, shall hold their offices subject to the right of resignation during their official terms, and until their successors shall be duly elected or appointed and qualified."

It is substantially section 5, article 14 of the State Constitution. I have endeavored to show that the "right of resignation" can be exercised only by the consent of the appointing power; that until a resignation should be accepted by the proper officer, the person tendering the resignation would still be in office; that acceptance was necessary, and knowledge of the acceptance should be communicated to the person proposing to resign.

But the second section, being the sixth section of the act, reads as follows:

"SECTION 6. Every county officer may, at any time, resign his office; such resignation may be made in writing, signed by the officer resigning his office, and filed in the office of either the clerk of the circuit court, or the clerk of the county court of the county. Upon the filing of such resignation in the office of either of such clerks, the office of the officer so resigning, shall be vacant, and a certificate of such vacancy, together with a certified copy of such resignation, shall be immediately certified to the Governor by the clerk in whose office such resignation may be filed."

If this bill should become a law, all the officers of a county might resign, and if this may be done in one county, it might be done in every county in the State. If it is not intended, by this bill, to provide that, from the date of filing of the resignation with the clerk, the officer shall be relieved from all duties and further liabilities, then the bill makes no change in the law, and is, therefore, unnecessary. But there can be no doubt it is intended to provide that county officers shall be permitted to resign, and be relieved from the duties and responsibilities of their office from the date of filing their resignation with the clerk of either the circuit or county courts. There will, therefore, be a time when no person can lawfully discharge the duties of the office—when no person will lawfully have the care of the valuable records belonging to the counties. The three judges of the county court, the judge of the probate court, the clerks of county and circuit courts, the sheriff, coroner, assessor, collector, recorder of deeds, treasurer, public administrator and county surveyor, comprise the county officers, and the duties all of these officers perform are not only important to the counties, but some of them are absolutely necessary to enable the wheels of the State government to move. Suppose all of the county officers, except the clerk of the county court, shall resign. Without a sheriff or coroner, no process, civil or criminal, would be served; without a clerk of the circuit court, no suits would be commenced, no indictments found, and no executions could be issued; without the assessor, no valuation of

property could be had, nor without a collector could the taxes be collected. I am supposing such a case as probably will never arise, but these evils could occur under the proposed law, and we should guard against the possibility of their happening. Justice Elmer, of the Supreme Court of New Jersey, in the case of *State ex. rel. Reeves vs. Ferguson*, 31st N. J. law reps., page 107, remarks: "To hold that an officer, civil or military,, may, at his own pleasure, divest himself of responsibility, by simply tendering a resignation, whatever may be the circumstances prompting the act, it seems to me would be fraught with danger of no ordinary magnitude."

I cannot sanction the provision that every county officer may resign by filing his resignation with the clerk of the county or circuit court, and thereby be relieved and discharged from the further performance of the duties of the office, or the liability for the non-performance thereof. I cannot consent to the increase of the periods of intermission or interregnum of offices. Who is to guard and protect the records entrusted to county officers? Who is to take care of and preserve the deed books of any county, if the recorder shall, by filing his resignation with the clerk, be relieved from further performance of duty? If the office of recorder is vacant, and the late incumbent is discharged from the duties of the office, he has no more right to the custody of the deed books—of immense value—than an absolute stranger. So with the records of the circuit court. The clerk files his resignation with the clerk of the county court, and who will have the custody and care of the valuable records of his office? And so with the other officers. This bill permits officers to resign and abandon the valuable records in their possession, and leave them absolutely to the care of nobody. I will sanction no measure from which can flow such dire consequences.

But there is another objection to this bill, Its title is as follows: "An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6." Now, this title does not comply with the requirements of the Constitution in that particular, which I recognize to be mandatory and not directory. I think the proper rule for the construction of State Constitutions is tersely expressed in the new Constitution of the State of California: "The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise." The Constitution of this State provides, section 28, article 4: "No bill (* * * *) shall contain more than one subject, which shall be clearly expressed in its title." Will any one inform me what subject is expressed in this

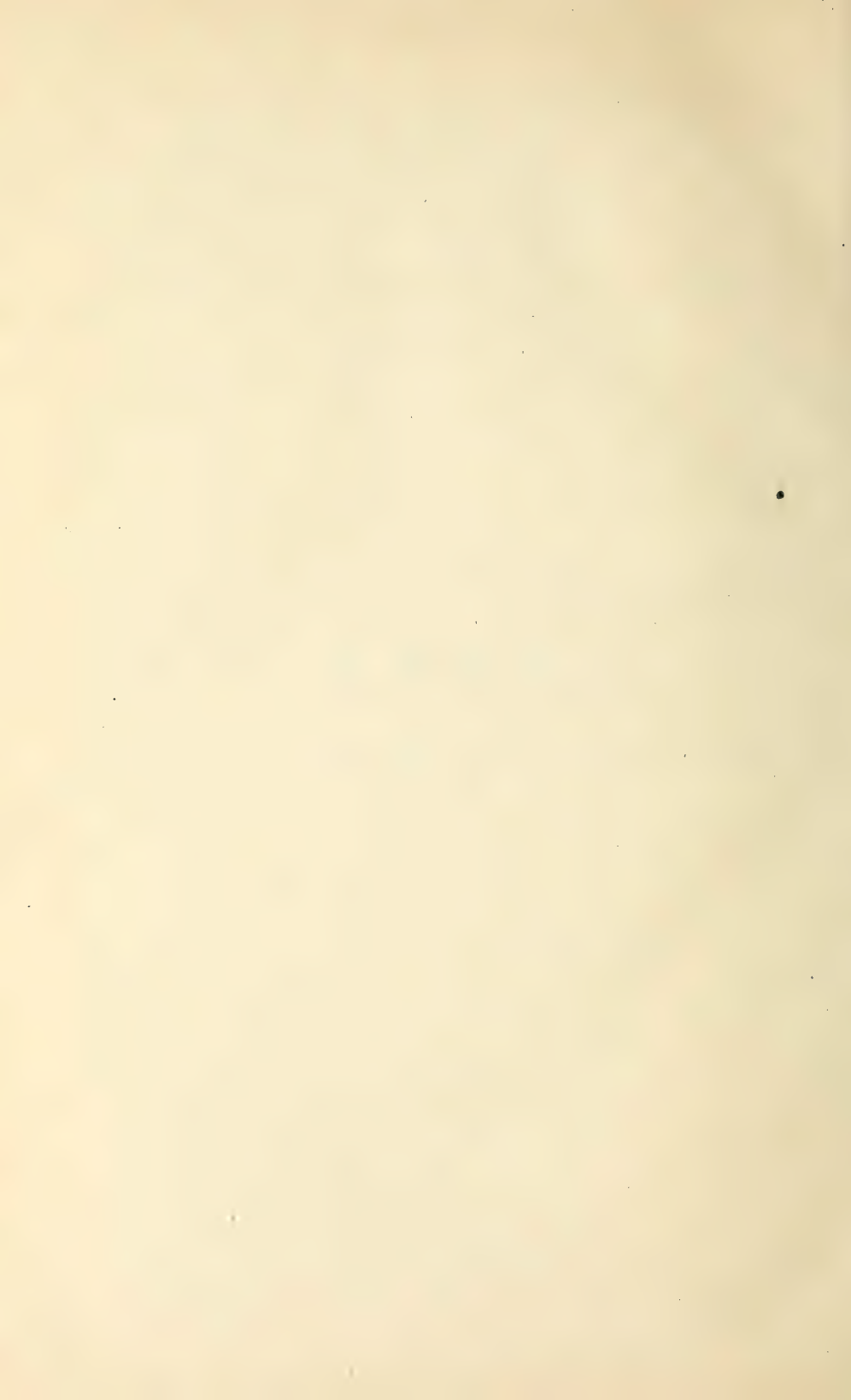
title? Can you discover the subject matter of legislation from this title? If so, what is it? Is it it "clearly expressed in its title?" Anything else printed after this title—for instance a portion of the statutes concerning crimes and punishments or concerning wills—would be just as appropriate as the two sections of this bill.

For the reasons I have given, I cannot approve of the bill.

Very respectfully,

JOHN S. PHELPS.

INDEX.



INDEX TO HOUSE JOURNAL.

No.	House Bills.	Introduced by
1	An act relating to the State treasury.....52, 62, 136, 200, 258, 259, 453, 453, 506, 536, 537, 550, 640	Davis.
2	“ to revise and amend chap. 77 Wag. Stat., vol. 1, pp. 782, 783, “ Of interest”.....53, 62, 238, 277, 405, 418, 554, 755	Powell.
3	“ to repeal an act to provide for registering and licensing of dogs.....56, 62, 185, 211, 291, 301, 1383, 1480	Palmer.
4	“ to provide for infliction of corporal punishment in cer- tain cases.....56, 62, 256, 373, 518, 519	Anderson.
5	“ to define grand larceny and increase maximum of petit larceny ,56, 62, 1616, 1617	Lesueur.
6	“ to consolidate the offices of county collector and county treasurer, and fix compensation thereof.....56, 62, 144 216, 229, 630	Bonham.
7	“ to amend chap. 98 of General Stat. “Of dramshop keep- ers and their licenses”.....56, 63, 119, 123, 131, 182, 190, 302	Wells.
8	“ to regulate compensation of circuit clerks and ex-officio recorders, .....56, 63, 176, 292, 302, 335, 339, 1243, 1244 1328, 1329	Larimore.
9	“ to amend sec 22, art. 1, chap. 38 Wag. Stat. “Costs in civil cases”.....56, 63, 124, 182, 190	Lackland.
10	“ in relation to salaries of certain officers.....56, 63, 154, 216, 316	Warren.
11	“ to provide for correcting and perfecting the laws of this State.....56, 63, 135, 182, 191, 372, 482, 651, 652, 653, 680, 740	Brown.
12	“ for the better protection of the State school fund.....57, 63, 244, 372, 390, 1611	Finks.
13	“ relating to assignment of bonds of counties, cities and towns.....57, 63	Arnold,
14	“ for the punishment of rape.....57, 63, 210, 211, 290, 317	Kneisley.
15	“ to facilitate appeals from the court of appeals to supreme court.....57, 63, 135, 182, 192	Hall.
16	“ to provide a jury system in cities having over 50,000 in- habitants .....57, 63, 144, 251, 303, 913, 961, 1001	Campbell of St. Louis.
17	“ to repeal act to provide for the registering and licensing of dogs.....57, 63, 1628	Organ.
18	“ to amend an act entitled “Married women”.....57, 64, 1632	Taylor.
19	“ to amend sec. 20 of an act in relation to roads and high- ways.....57, 64, 178	Bonham.
20	“ to regulate the rate of interest.....57, 64, 238, 277, 405, 418, 755	Larimore.
21	“ to repeal an act to regulate the charges of railroad com- panies and to provide for the appointment of rail- road commissioners.....57, 64	Dodson.
22	“ to amend section 9 of act for preservation of game an- imals and birds.....58, 64	Carleton.
23	“ to provide for the non-forfeiture of life insurance and endowment policies.....61, 77, 1482, 1502	Taylor.

No.	House Bills.	Introduced by
24	An act to abolish office of prosecuting attorney and provide for election of circuit attorney.....61, 74, 212, 226, 309	Price.
25	“ supplementary to act in relation to roads and highways, etc.....61, 77, 177, 178	Lockhart.
26	“ to regulate collectors' fees 61, 77, 177, 178	Larimore.
27	“ to amend sec. 1 of an act to regulate sale of intoxicating liquors by druggists.....61, 78, 648, 649, 722	Palmer.
28	“ to amend secs. 2 and 3 of an act to prevent domestic animals from running at large.....61, 78	McKinney.
29	“ to repeal an act to provide for the registering and licensing of dogs.....61, 78, 1628	Berryman.
30	“ to amend sec. 48 of act dividing State into judicial circuits, etc..... 61, 78, 154, 251, 279, 482, 500, 530	Dilley.
31	“ for suppression of petty thefts, etc., by punishment of whipping post.....62, 78, 256, 373, 518	Finks.
32	“ to repeal act entitled “Indians”.....62, 78, 256, 372, 390	Saunders.
33	“ to amend the school law.....62, 78, 153, 256	Ewing.
34	“ to amend secs. 9 and 11, chap. 191, Gen. Statutes.....62, 78, 256, 1634	Arnold
35	“ to amend sec. 23, chap. 200, Gen. Stat.....62, 79, 210, 211, 290, 317	Lesueur.
36	“ to amend act for preservation of game animals and birds 62, 79	Berry.
37	“ to amend sec. 1 of act to amend sec. 16, chap. 41 Gen. Stat. “Of town elections and powers of trustees,” etc .....70, 79, 1630	Dade.
38	“ to repeal act to authorize counties, cities and towns to compromise their debts.....70, 79, 470, 1630	Brown.
39	“ to amend sec. 26, chap. 80, Wag. Stat.....70, 79	Berryman.
40	“ to amend sec. 1, art. 3, chap. 87, Gen. Stat. “Liens”.....71, 79, 409	Chilton.
41	“ to amend secs. 23 and 24, chap. 200, Gen. Stat. “Crimes and punishments”.....71, 79, 210, 211, 290, 317	Farr.
42	“ amendatory of first sec. of act for preservation of game 71, 79	Rawlings.
43	“ to amend sec. 29, chap. 169, Gen. Stat.....71, 79, 1634	Lackland.
44	“ to amend sec. 49 of act to provide for appeals and writs of error in civil cases, and concerning practice in Supreme Court, and repealing chapter 135 of Gen. Stat., and act to amend sec. 9, chap. 172, title 34 Gen. Stat., “practice in civil cases,”.....71, 79, 80, 1634	Anderson.
45	“ to prevent the netting of fish in “cut-off,”.....71, 80, 130, 217, 230, 297, 482, 500, 530	Cloud.
46	“ to change the time for the assessment of property...72, 80, 883, 913, 1611	Turner.
47	“ to amend sec. 65 of act concerning assessment and collection of revenue.....72, 80, 1611	Cox.
48	“ to amend act for repayment of purchase money by counties in cases of erroneous sales of swamp lands...72, 80, 254, 372, 391	Carleton.
49	“ to provide for protection of trappers.....72, 80, 177	Powers.
50	“ to repeal act to encourage destruction of rats...72, 80, 208, 333, 474, 476	Bonham.
51	“ to regulate and limit compensation of county clerks...73, 80, 209	Larimore.
52	“ to amend secs. 3 and 5 of act to amend secs. 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 135, 136, 137, 138, 139, 144, 145, 173 of act concerning assessment and collection of revenue, approved March 30, 1872, and to add five new sections thereto; also to amend secs. 48 and 59 of act concerning assessment and collection of revenue...73, 80, 209, 306, 321, 359, 376, 523, 535, 590	Pepper.
53	“ concerning collection of revenue for 1878.....73, 80, 81, 1611, 1628	Chenoweth.
54	“ to aid school districts in erecting houses...73, 81, 256, 1611	Craig.
55	“ to amend sec 2, chap. 42 of Gen. Stat.....73, 81, 1630	Ingram.

No.	House Bills.	Introduced by
56	An act to amend sec. 8 of act to provide for the collection of delinquent taxes.....73, 81, 1611	Morrison.
57	“ defining a school month.....73, 81, 153	Burford.
58	“ to amend sec 19, art. 1, chap. 2, Wag. Stat., “appointment and removal of executors and administrators”...73, 81, 1634	McCormick of St. Louis.
59	“ to repeal act to provide for registering and licensing of dogs.....76, 108, 1628	Bryan.
60	“ regulating fees of witnesses.....77, 108, 210, 291, 321	Wells.
61	“ relating to the State treasury.....77, 108	Mudd of Line’n
62	“ to amend sec. 10, chap. 131, Gen. Stat.....77, 108, 1641	Bashaw.
63	“ to amend act authorizing imprisonment of persons convicted of misdemeanors in other places than county jails.....77, 108	McKill.
64	“ to limit fees of judge of probate.....77, 108, 731, 787	Larimore.
65	“ to repeal act to provide for custody of minor children in <i>habeas corpus</i>.....77, 108, 308, 372, 391, 392, 746, 764, 774	Anderson.
66	“ to amend act to provide manner of selecting jurors for courts of record in counties having a population of less than 20,000.....77, 108, 1634	Wells.
67	“ to provide for enforcement of constitution and laws of this State.....77, 108	Brown.
68	“ declaring law journals to be newspapers.....77, 109, 468	Foster.
69	“ to amend act in relation to roads and highways, etc.....77, 109, 158	Burrows.
70	“ in relation to public school funds.....77, 109, 245, 333, 351, 568, 589, 595	Campbell of Atchison.
71	“ to repeal sec. 2 of act, to amend sec 2, chap. 153, Gen. Stat., “mortgages and deeds of trust”...82, 115, 1634	Anderson.
72	“ to regulate hedges on public highways.....83, 115, 144, 202	Chilton.
73	“ to amend sec. 5 of act to regulate payment of outstanding Union military bonds, etc.....83, 115, 527, 888, 978	Anderson.
74	“ to prohibit railroad companies from cleaning stock cars on any but enclosed lands.....83, 115, 261, 349, 357, 764, 774, 824	Brown.
75	“ to repeal secs. 17, 18 and 19 of act to locate and dispose of the congressional land grant of July 2, 1862, to endow, support and maintain school of agricultural and mechanic arts and school of mines and metallurgy, etc.....83, 115, 1621	Organ.
76	“ to amend sec. 33, chap. 189, “landlords and tenants”...83, 115, 327, 448, 503, 1634	McGarry.
77	“ to amend sec. 2, chap. 173, Gen. Stat., “costs”...83, 115, 471	Berryman.
78	“ regulating the salaries and fees of prosecuting attorneys, 83, 115, 731	Larimore.
79	“ to regulate the building of barbed wire fence.....83, 115, 312, 322	Moler.
80	“ to amend act to provide for the registration and licensing of dogs.....83, 115, 178, 941, 1628	McKill.
81	“ to amend act to provide for taxing and licensing manufacturers.....83, 116, 1611	Hayes.
82	“ to amend sec 11, chap. 47, Wag. Stat., “dower”...109, 116, 1634	Campbell of St. Louis.
83	“ to promote the science of medicine and surgery.....109, 116, 212, 290, 323	Dougherty.
84	“ to repeal chap. 19, Gen. Stat., “Register of Lands”...109, 116, 208, 235, 333, 352, 353	Wells.
85	“ to amend section 15, chap. 55, Wag. Stat. “Attachments and executions”.....112, 119, 1634	Bowman.
86	“ Regulating sale of lands under deeds of trust and mortgages.....112, 119, 1634	Lockhart.
87	“ to amend the school law.....112, 119, 255, 333, 354	Bryan.
88	“ to repeal an act to provide for taxing and licensing manufacturers.....112, 119, 1611	Harrison.
89	“ to amend art. 8, chap. 37, Wag. Stat., “Benevolent, religious and educational associations”.....112, 119, 212, 323, 482, 499, 499, 557	Dougherty.

No.	House Bills.	Introduced by.
90	An act to compel railroad companies to give receipts for freight.....112, 119, 402	Dade.
91	“ to amend sec. 51 of act dividing State into judicial circuits, etc.....112, 120, 1634	Mahn.
92	“ to provide for the manner of selecting and summoning grand and petit juries for courts of record.....113, 120, 1634	Wells.
93	“ to provide for winding up the affairs of insolvent insurance companies.....113, 120, 1632, 1632	Taylor.
94	“ to amend sec. 8 of act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing sec. 184 of act concerning assessment and collection of revenue.....113, 120, 1611	Brown.
95	“ to change the time of paying taxes.....113, 120, 209	Ewing.
96	“ to repeal act to provide for the holding of courts by the judge of another circuit, and for selection of a temporary judge.....113, 120, 1634	Organ.
97	“ to amend act entitled “insurance other than life”.....113, 120, 154, 1632, 1632	Taylor.
98	“ to repeal sec 7 of act to regulate charges of railroad companies and to provide for the appointment of Railroad Commissioners.....117, 147, 919, 948, 1341	Warren.
99	“ to amend sec. 7 of chap. 96, Gen. Stat., “Peddlers’ licenses”.....117, 147, 208, 292, 323	Bryan.
100	“ to amend act to provide for taxing and licensing manufacturers.....118, 147, 1611	Mahn.
101	“ to amend sec. 1 of act to regulate sale of intoxicating liquors by druggists.....118, 147, 330, 648, 649, 722	Chilton.
102	“ to amend sec. 7, chap. 98, Gen. Stat., “Of dramshop keepers and their licenses”.....118, 147, 1611	Ellis.
103	“ to amend sec. 18, chap. 189, Gen. Stat., “Landlords and tenants”.....118, 147, 202, 291, 324, 360	Rawlings.
104	“ to tax bonds and judgments on bonds and other obligations issued by counties and incorporated cities and towns, etc.....118, 147, 1611	Patterson of Linn.
105	“ to amend act entitled “Roads and highways”.....118, 147, 258	Louthan.
106	“ to repeal secs. 42, 43 and 44 of act to reorganize and provide for support of public schools, etc.....118, 148, 1621	Ballew.
107	“ taxing express companies.....118, 148	Wells.
108	“ to regulate and limit compensation of clerks of county courts.....118, 148, 215, 372, 392, 393	Larimore.
109	“ to amend sec. 2, chap. 95, Gen. Stat., “Of auctioneers and their licenses”.....118, 148, 158, 217, 358	Farr.
110	“ for the further protection of game.....119, 148	Warren.
111	“ to secure the payment of injuries done to persons and property.....119, 148, 1634	Gray.
112	“ for the government of cities of the fourth class.....118, 148, 869	Davis.
113	“ in relation to charging toll on turnpike, plank and macadamized roads.....140, 161, 237, 349, 361	Anderson.
114	“ to amend sec. 40 of act for the incorporation and regulation of life assurance companies.....140, 161	Wells.
115	“ to amend sec. 44 of act for the incorporation of insurance companies other than life.....140, 161, 210, 291, 362, 647	Wells.
116	“ to amend act to amend sec. 1, chap. 8, Gen. Stat., relating to pay of members of General Assembly, etc.....140, 161, 215, 216, 406, 503, 787, 830, 956	Bonham.
117	“ in relation to deeds of trust and mortgages.....140, 161, 1634	Vancleve.
118	“ to amend secs. 1 and 40 of act to prescribe the manner of posting stray animals, disposing of the moneys derived therefrom, and to repeal chap. 83 of Gen. Stat. 140, 161, 211	Mahn.
119	“ for the relief of Henry DeBolt and to appropriate money therefor.....140, 161, 572, 694, 701, 1613, 1624, 1625, 1637, 1638, 1639, 1653	Cowan of Holt

No.	House bills.	Introduced by.
120	An act to amend act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, and repealing sec. 184 of act concerning the assessment and collection of the revenue..141, 161, 1611	Hubbard.
121	“ to amend an act regulating costs in criminal cases, etc. 141, 162, 438	Bryan.
122	“ to prevent the licensing or taxing of certain professions. 141, 162, 238, 244, 333, 363, 453, 465, 530	Dryden.
123	“ to provide for affidavits and certificates of publication.....141, 162, 883, 913, 1634	Chenoweth.
124	“ to amend act to provide for the collection of delinquent taxes and taxes due on real estate and personal property forfeited to the State, and repealing sec. 184 of an act concerning assessment and collection of revenue.....141, 162, 1611	Drum.
125	“ to amend secs. 3 and 5 of act to amend secs. 6, 7, 28, 30, 31, 49, 54, 93, 115, 118, 125, 136, 137, 138, 139, 144, 145 and 173 of act concerning assessment and collection of revenue.....141, 162, 1611	McKill.
126	“ to appropriate money to pay Joseph W. Branch..... 141, 162, 682, 859, 1378	Mott.
127	“ to amend act for preservation of game animals and birds, etc.....141, 162	Knight.
128	“ to prevent marriage without license.....141, 162 1616, 1617	Burrows.
129	“ to amend sec. 2 of act to amend and consolidate into one act the various acts in relation to city of Springfield, etc.....141, 162, 1630	Ingram.
130	“ relating to pay of General Assembly.....142, 163, 215, 216, 406, 503, 787, 830, 956	Tevis.
131	“ to amend secs. 30 and 31 of chap. 41 Gen. Stat., “incorporation of towns,” etc.....142, 163, 1206, 1274 1385, 1394, 1395	Mudd of St. Louis.
132	“ to repeal act to incorporate town of Kirkwood.....142, 163, 1630	Mudd of St. Louis.
133	“ to amend sec. 8, chap. 48, Wag. Stat., “dram shops,” 143, 163, 390, 480, 692, 693	Louthan.
134	“ to provide for punishment of officers of defaulting banks.....143, 163, 255, 407, 504	Spring.
135	“ to amend sec. 1, chap. 3, Gen. Stat., “homestead,”.....143, 163, 1634	Berryman.
136	“ to exempt mortgaged real estate from taxation.....143, 163, 327, 1611	Craig.
137	“ to amend the practice act in civil cases, 149, 360, 1634	Foster.
138	“ to provide for the taxing and licensing of manufacturers, etc.....149, 163, 1611	Dawson.
139	“ to amend sec. 2, chap. 14, Gen Stat., 149, 163, 238, 349, 509	Dawson.
140	“ to require Auditor to report amount due school fund from State revenue paid in treasury from March 1, 1867, to March 1, 1875, and provide for payment thereof.....149, 164, 1611	Dawson.
141	“ to amend sec. 1 of act to provide for levy of special tax to create sinking fund for payment of county, city and town bonded indebtedness.....151, 164, 565, 684	Patterson of Linn.
142	“ to amend sec. 1 of act to prescribe manner of posting strays, etc.....151, 164, 211	Crow.
143	“ to amend sec. 1 of act for preservation of game, etc., 151, 164	Lackland.
144	“ to amend sec. 1 of act to authorize counties, cities and towns to compromise their debts. etc., 151, 164, 564, 684, 741, 844, 998, 1016, 1080, 1278, 1352	Patterson of Linn.

No.	House bills.	Introduced by
145	An act to amend secs. 1, 2, 3 and 4 of act to amend act to regulate sale of intoxicating liquors by druggists, etc.....151, 164, 648, 649, 722	Lockhart.
146	“ to amend act to provide for registering and licensing of dogs, etc.....151, 164	Johnson.
147	“ to amend sec. 42 of act dividing State into judicial circuits, etc.....151, 164, 226, 306, 586	Hammons.
148	“ to amend sec. 1, chap. 68, Wag. Stat., (chap. 111, sec. 1, Gen. Stat.).....151, 165, 1634	Talbot.
149	“ to amend sec. 5 of act for classification of cities and towns.....151, 165, 1630	Foster.
150	“ to repeal act to establish a corporation in city of St. Louis, etc.....151, 165, 1634	Foster.
151	“ subdividing cities and towns of the first class for school purposes, etc.....152, 165	Foster.
152	“ to prescribe powers and duties of boards of education.....152, 165, 202, 248, 309, 310	Foster.
153	“ to amend act to regulate inspection of petroleum, etc., 152, 165, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1574, 1584, 1604, 1654	Foster.
154	“ to amend sec. 149 of act concerning assessment and collection of revenue, etc.....152, 165, 210, 260, 369, 371, 378, 399, 399	Turner.
155	“ to amend sec. 20 of act in relation to roads and highways, etc.....152, 165, 244, 349, 536	Anderson.
156	“ to provide for the formation of drainage districts, etc., 153, 165, 216, 447, 813, 814, 997, 1030, 1185, 1197, 1232	Carleton.
157	“ to amend sec. 8, chap. 98, Gen. Stat., “of dramshop keepers and their licenses,”...152, 166, 881, 1010, 1131, 1142, 1194	Wells.
158	“ for the propagation and protection of food fishes, etc., 152, 166, 390, 790, 791, 888, 993, 994, 1176, 1197, 1331, (sub.)	Lesueur.
159	“ to prevent the sale of deadly weapons to minors.....152, 166, 437, 599, 619	Lesueur.
160	“ in relation to the prevention and cure of hog cholera, and Texas cattle disease.....152, 166, 262	Cook.
161	“ to amend secs. 4, 9 and 10, chap. 23, Wag. Stat., “bridges,”.....153, 166, 309	Louthan.
162	“ for the relief of W. D. Bishop.....153, 166, 513	Brown.
163	“ to relieve from taxation property incumbered by mortgage and deed of trust.....153, 166, 1634	Drum.
164	“ to amend sec. 2 of an act to provide for the taxing and licensing of manufacturers.....153, 166, 1611	Drum.
165	“ to amend sec. 41 of act to reorganize and provide for the support of public schools, etc.....153, 166, 1621	Pollard.
166	“ to amend secs. 8 and 31, chap. 38, Gen. Stat.....159, 188, 470, 520, 620, 1402	Vancleve.
167	“ fixing the per diem of clerks of the Legislature.....160, 188, 215, 216, 406, 503, 787, 830, 956	Settles.
168	“ to repeal an act to permit persons to testify in their own behalf in criminal cases.....160, 188, 246	Bowman.
169	“ concerning the duties of sheriff and constable.....160, 188, 514, 654, 751, 814	McGarry.
170	“ to amend sec. 8 of act to provide for the collection of delinquent taxes and taxes due on real estate forfeited to the State, etc.....160, 188, 1611	Reynolds.
171	“ in relation to corporations.....160, 188, 1630	Harrington.
172	“ to amend sec. 4, chap. 8, Gen. Stat.....160, 188, 215, 216, 406, 503, 787, 830, 956	Waggenger.
173	“ to amend act to reorganize and provide for the support of public schools, etc.....160, 188, 1621	Riley.
174	“ to repeal chap. 111, Gen. Stat., “homesteads,” etc.....160, 189, 1634	Organ.
175	“ to amend sec. 15 of an act to reorganize and provide for the support of public schools, etc.....160, 189, 1621	Talbot.

No.	House Bills.	Introduced by
176	An act to prohibit sale of lottery tickets, and publishing advertisements of lotteries and gift enterprises.....160, 189, 699, 939, 1032, 1095, 1118, 1127	Hynes.
177	“ to encourage destruction of rabbits.....160, 189, 1628	Hynes.
178	“ to amend chap. 95, Wag. Stat., “merchants’ licenses.” 167, 189, 913, 1611	Davis.
179	“ to amend sec. 26, chap. 98, Gen. Stat.....184, 189, 245, 349, 575	Cowan of Holt.
180	“ to purchase land in Jackson county for the building of a lunatic asylum.....184, 189, 1634	Gwynne.
181	“ to amend sec. 24, chap. 48, Wag. Stat.....184, 189, 692	Waggenger.
182	“ supplementary to chap. 112, Gen. Stat., “voluntary assignments,” providing for involuntary assignments and adjudication of insolvency.....184, 189	Wells.
183	“ to amend sec. 8, chap. 82, art. 1, Wag. Stat.....184, 190, 1634	Powers.
184	“ to amend act in relation to roads and highways...185, 197, 328, 1075	Withers.
185	“ to amend act to regulate practice of medicine and surgery.....185, 197, 744	Bryan.
186	“ to amend section 49 of act dividing State into judicial circuits, etc.....185, 197, 226, 275, 333, 482, 579, 589, 590, 595	Price.
187	“ to amend sec. 2, art. 1 of act for government of cities of fourth class.....185, 197, 237, 1630	Cook.
188	“ to amend sec. 18, chap. 146, Wag. Stat., “witnesses,” 185, 197, 1634	Lackland.
189	“ to amend chap. 85, Wag. Stat., “landlords and tenants,” etc.....186, 197, 1634	Lackland.
190	“ to amend sec. 21, chap. 44, Wag. Stat., “depositions,” etc. 186, 197, 164	Lackland.
191	“ to repeal an act in relation to Social Evil Hospital and House of Industry in St. Louis.....186, 198, 275, 372, 452, 746, 754, 788, 838, 841	Harrigan.
192	“ to better protect nurserymen.....186, 198	Ronham.
193	“ to control the forfeiture of life insurance policies.....186, 198, 216, 1632	Mott.
194	“ to regulate the salaries of officers of eleemosynary institutions.....186, 198, 215, 291, 538	Wells.
195	“ to amend sec. 28 of general law concerning roads and highways, etc.....186, 198, 326	Carleton.
196	“ to amend sec. 69, chap. 118, Wag. Stat.....186, 198, 219, 262, 372, 539, 550	Price.
197	“ to amend act to provide for collection of delinquent taxes.....187, 198, 1611	McKill.
198	“ to amend sec. 22, chap. 36, Gen. Stat., “county buildings, etc”.....187, 198, 1634	Arnold.
199	“ to amend sec. 8, chap. 213, Gen. Stat., “Of trials and incidental proceedings.”.....187, 198, 1616, 1617	Arnold.
200	“ to amend chap. 130 Gen. Stat., “Of estates of deceased persons”.....187, 198, 1634	Arnold.
201	“ to amend sec. 5, chap. 165, Gen. Stat., “Practice in civil cases”.....187, 199, 1634	Arnold.
202	“ to appropriate money to pay J. J. C. Brazeale.....187, 199, 730, 859, 860	Cowan of Christian.
203	“ to equalize taxation and increase State, county and municipal revenues.....186, 199, 263	Mudd of Lincoln.
204	“ to regulate salaries of judges.....186, 199, 1632	Wells.
205	“ in regard to fees in office of Secretary of State...187, 199, 238, 405, 539	Harrington.
206	“ for relief of Philip Zeal.....187, 199, 526, 553, 670, 696, 1380, 1404, 1425	Moler.
207	“ to amend sec. 4 of act for classification of cities and towns.....187, 199, 1630	Booth.
208	“ to amend secs. 2 and 3, chap. 177, Gen. Stat., “Jurisdiction of justices of the peace,”.....187, 199	McElvain.

No.	House Bills.	Introduced by
209	An act to provide for organization of counties into municipal townships, etc .....186, 199, 461, 654, 880, 989, 1231, 1290, 1339, 1433, 1475 (sub.)	Powell.
210	“ to appropriate money for relief of A. J. Adkins.....188, 199, 730, 858, 861	Warren.
211	“ to amend sec. 1 of act fixing salary of clerk of supreme court, etc.....187, 199, 227, 687	Bonham.
212	“ to amend secs. 2 and 3, art. 1, chap. 82, Wag. Stat., “jurisdiction of justices’ courts”.....188, 200, 513, 514, 586, 588, 694, 702	Pehle.
213	“ to amend secs. 4 and 5, art. 5, chap. 111, Wag Stat., “Practice and proceedings in criminal cases”.....187, 200, 428	Craig.
214	“ to establish an industrial asylum for the partially insane 195, 200, 1618	Collins.
215	“ to amend sec. 65, art. 1, chap. 118, Wag. Stat., by providing for the making of tax bills.....196, 213, 1611	Cox.
216	“ to repeal certain sections of chap. 78, Gen. Stat., “Preservation of fish and destruction of wolves” .....196, 213, 257, 1628	Cox.
217	“ to amend sec. 1, chap. 15, Gen. Stat., “State Library”.....196, 213	Harrington.
218	“ to provide for township organization.....196, 213, 461, 654, 880, 989, 1231, 1290, 1339, 1433	Lockhart.
219	“ to amend act in relation to roads and highways, etc.....196, 213, 328, 449, 540, 541	Bryan.
220	“ to provide for the appointment of stenographic reporters for circuit courts.....197, 213, 1634.	Craig.
221	“ for the protection of minors and other persons against accidents and injuries on railroads.....197, 213, 261	Booth.
222	“ to amend chap. 84, art. 3, Wag. Stat., “Swamp lands.” 197, 213, 254, 349, 541, 834, 1013, 1023, 1039	Brewer.
223	“ to appropriate money for the support of State government for the years 1879 and 1880.....202, 213, 329, 376	Davis.
224	“ to provide for punishment of public officers and trustees for using public moneys for their own profit, etc., 214, 219, 598, 1616, 1617	Cooper.
225	“ for relief of Jno. A. S. Tutt.....214, 219, 517, 670, 676, 1231, 1242, 1277	Lesueur.
226	“ to establish an insane asylum at Springfield...214, 220, 466	Wisby.
227	“ in relation to misrepresentations in obtaining or securing policies in fire insurance companies, etc.....214, 220, 1022, 1165, 1191	Younger.
228	“ to reimburse St. Louis National Guard.....214, 220	Foster.
229	“ to protect persons at railroad crossings of public highways.....214, 220, 1634	McCormick of St. Louis.
230	“ to amend sec. 19, chap. 120, Gen. Stat., “bonds of executors,”.....214, 220, 1634	Foster.
231	“ for the protection of the State school fund.....214, 220, 1611	Berryman.
232	“ to repeal act to authorize and describe the method of formation of school districts in the counties of Franklin and Webster.....214, 220, 293, 294, 349, 574	Wisby.
233	“ to amend sec. 2 of an act to prevent the destruction of fish, etc.....214, 220, 390, 790, 791, 888, 993, 994, 1177, 1197, 1331, (sub.)	Chilton.
234	“ to repeal sec. 11 of act to amend act concerning assessment and collection of revenue, etc.....217, 227, 244, 372, 483, 631	Bryan.
235	“ to amend sec. 2, chap. 153, Gen. Stat., “mortgages,”...217, 227, 292, 684, 793, 817	Spring.
236	“ to provide for organization of counties into municipal townships, etc.....219, 228, 461, 654, 880, 989, 1231, 1290, 1339, 1433.	Pehle.
237	“ requiring railroad companies to build and maintain highway bridges at points where public roads cross their tracks.....217, 228, 261, 278, 1630	Talbot.

No.	House Bills.	Introduced by
238	An act to amend sec. 11 of act amendatory of act concerning assessment and collection of revenue.....218, 228, 506, 1611	Mahn.
239	“ to amend act to reorganize and provide for support of public schools. etc.....218, 228, 1621	Finks.
240	“ to amend sec. 1 of act for preservation of game animals and birds.....218, 228	Moler.
241	“ to amend sec. 2, chap. 153, Gen. Stat., and to amend sec. 13, chap. 153, Gen. Stat., “mortgages and deeds of trust,”.....218, 228, 1634	Berry.
242	“ for the relief of Wm. Matthews & Co.....218, 228, 517, 552, 1628	Mudd of St. Louis.
243	“ to amend sec. 32, art. 8, chap. 42, Wag. Stat...218, 228, 481	Lockhart.
244	“ to authorize sale of real estate belonging to insane persons under guardianship.....217, 229, 469, 686	Cock.
245	“ to amend sec. 4, art. 9, chap. 82, Wag. Stat., “appeals from justices,”.....219, 229	Dilley.
246	“ for the collection of delinquent taxes, etc., 217, 229, 1611	Burrows.
247	“ to amend act to amend chap. 201, Gen. Stat. “offenses against public and private property,” etc.....224, 264, 1616	Arnold.
248	“ to regulate assessment on notes, bonds, mortgages and other written evidences of debt, and equalize taxation.....224, 264, 1611, 1616	Larimore.
249	“ to amend sec. 20, chap. 36, Gen. Stat., “county buildings and the removal of seats of justice,”.....224, 264, 1634	Arnold.
250	“ to amend secs 14, 20, 21, 24, 32, 38, 47, 48, 61, 65 and 66 of an act of March 30, 1872, and sec. 3 of act of April 28, 1877, so as to abolish the office of county assessor and establish the office of township assessor.....224, 264, 1611	Ellis.
251	“ to render insurance companies, other than life, responsible for the acts of their agents.....225, 264, 1022, 1165, 1191	Chilton.
252	“ to encourage marriage, and concerning married women, 225, 265, 1634	Louthan.
253	“ amendatory of act dividing State into judicial circuits. etc., 225, 265, 470, 491, 582, 729, 754, 789, 1071, 1151, 1182	Powers.
254	“ to reimburse counties for money paid to State from fines, penalties and forfeitures and sale of strays, etc., 225, 265, 439, 571, 694, 703	Organ.
255	“ to amend act to amend secs. 14 and 17, chap. 2, Gen. Stat., “elections,”.....225, 265, 682, 857, 1006, 1034	Lockhart.
256	“ in relation to consolidation of offices of circuit clerk and recorder of deeds.....225, 265, 637	Cook.
257	“ to provide for the punishment of executors, administrators, guardians, curators and trustees, etc.....227, 265, 839	Hale.
258	“ to protect sub contractors, employes, and persons furnishing material for public buildings or bridges, 225, 265, 1634	Crowther.
259	“ to repeal secs. 5, 8, 11, 12 and 14, to enact new sections in lieu thereof, and to add new sections to act to regulate charges of railroad companies, etc., 226, 265, 1630	Freed.
260	“ for the encouragement of sheep husbandry, etc.....225, 266, 1628	Patterson of Schuyler.
261	“ to amend sec. 3, chap. 200, Gen Stat., “offenses against the lives and persons of individuals,”.....236, 265, 471, 489, 642, 729, 861	Dodson.
262	“ to repeal an act concerning silver coin.....226, 266, 1640	Craig.
263	“ to amend an act to amend sec. 12 of an act to provide for assessment of railroad property, etc., 225, 266, 1611	Powell.
264	“ for the protection of California quails, 225, 266, 287, 372, 607, 776, 875, 885, 886	Anderson.
265	“ to amend chap. 99, Wag. Stat., “mortgages,”.....236, 236, 1632	Gray.

No.	House Bills.	Introduced by
266	An act exempting auctioneers of organized county stock sales from taking out license.....237, 266, 1628	Larimore.
267	“ to amend sec. 19, chap. 36, Wag. Stat., “coroners,” 236, 266, 1634	Riley.
268	“ to amend act to prevent destruction of fish. 237, 266, 390, 790, 791, 888, 992, 994, 1177, 1831	Burrows.
269	“ in relation to licensing attorneys.....237, 266, 1634	Harrington.
270	“ providing for the election of commissioner of permanent seat of government.....236, 266, 335, 406, 488	Warren.
271	“ to amend sec. 1, chap. 81, Gen. Stat., “justices of the peace”.....237, 267	Hayes.
272	“ to prevent the sale, gift or loan of fire arms, bowie-knives, etc., to minors.....237, 267, 1616, 1617	Burford.
273	“ to repeal an act incorporating town of New Franklin, and the several acts amendatory thereof, etc.....250, 267	McGarry.
274	“ in relation to the insane.....251, 267, 1618	Hall.
275	“ to repeal act to restrain sale of liquors in vicinity of State University.....251, 267, 288	Kneisley.
276	“ to amend secs. 38, 65, 70, 109, 110 and 122 of an act concerning assessment and collection of revenue.....251, 267, 1611	Johnson.
277	“ to amend sec. 3, chap. 174, Gen. Stat., “publication of judicial notices”.....252, 280	Wells.
278	“ to amend act for classification of cities and towns.....253, 280, 288, 1630	Farr.
279	“ to punish frauds, cheats, etc....253, 280, 288, 407, 555 631, 647, 683	Harrigan.
280	“ in relation to fire insurance.....253, 280, 1022, 1165, 1191, 1240	Ragan.
281	“ to amend art. 3, chap. 76, Wag. Stat., “insurance other than life”.....253, 280, 1632	Saunders.
282	“ to amend sec. 118, chap. 118, Wag. Stat., (exempt household of value of \$200 from execution)...253, 280, 1611	Wisby.
283	“ to amend sec. 4 of act in relation to roads and highways, 253, 280, 573	Taylor.
284	“ to require publication of county court proceedings, etc... 253, 281, 1635	Chenoweth.
285	“ to amend act to amend chap. 63, Gen. Stat., “railroad companies,” etc.....254, 281, 1630	Haynes.
286	“ to amend sec. 34 of act to prescribe manner of posting strays, etc.....253, 281	Bryan.
287	“ to amend section 2, chap. 113, Gen. Stat., “of marriage and marriage contracts”.....253, 281, 1616	Lockhart.
288	“ concerning collection of road taxes.....254, 281, 326	Pehle.
289	“ to regulate scale of fees of county and circuit clerks and recorder of deeds.....264, 281, 512, 693, 831, 1634	Bonham.
290	“ to amend secs. 5 and 6, chap. 113, Gen. Stat., “marriage and marriage contracts”.....274, 294, 1616, 1617	Lockhart.
291	“ supplementary to and amendatory of chap. 139, Rev. Stat., 1865, “attorneys at-law”.....174, 294, 1634	Foster.
292	“ to amend sec. 16 of act to regulate charges of railroad companies, etc.....274, 294, 466, 599	Wells.
293	“ to prescribe charges on sleeping or palace cars on railroads.....274, 294	Campbell of St. Louis city.
294	“ to amend secs. 7 and 8, art. 9, Wag. Stat.....274, 294, 438, 1634	Cloud.
295	“ to amend sec. 1, art. 1, chap. 35, Wag. Stat., “conveyances of real estate”.....274, 294, 1634	Ellis.
296	“ to amend sec. 87 (86) of act concerning assessment and collection of revenue...274, 294, 329, 351, 1018, 1131, 1143	Berryman.
297	“ to amend sec. 14 of act to amend act dividing State into judicial circuits, etc...274, 294, 327, 467, 599, 650, 1072, 1160, 1290, 1310, 1331	Greer.
298	“ to provide for election of road overseers.....274, 295, 328	Pehle.
299	“ to amend secs. 8, 9, 10, 11 and 12 of chap. 78, Gen. Stat., “preservation of fish and destruction of wolves,” 274, 295, 334, 448, 614, 764, 776, 777, 824	Mudd of St. Louis.

No.	House bills.	Introduced by
300	An act to amend sec. 8. chap. 110, Wag. Stat., "practice in civil cases".....275, 295, 1634	Miles.
301	" relating to the duties of county assessors.....275, 295, 663, 685, 832, 867, 1007, 1261	McIntyre.
302	" to regulate the rates of fare to be charged by street railroad companies.....278, 295, 402	Brady.
303	" to amend sec. 20 of act in relation to roads and highways.....278, 295, 513, 582	Settles.
304	" to provide for appointment of bank commissioner, etc., 279, 295, 1630	Campbell of St. Louis city.
305	" to provide for transferring unexpended balances in county treasuries.....280, 295, 327, 449, 486, 600, 628, 640	Powers.
306	" concerning strays.....285, 312	Riley.
307	" to amend sec. 6, chap. 206, Gen. Stat. to define and provide for the punishment of the crime of incest.....285, 312, 437, 524, 567	Bowman.
308	" to provide for the levy of poll tax.....285, 312, 1152, 1164, 1317	Davis.
309	" regulating pawnbrokers.....285, 312, 481, 1616, 1617	Carroll.
310	" to provide for the collection of revenue in cities of 20,000 inhabitants and incorporated towns.....285, 312, 1611	Settles.
311	" in relation to assessment and collection of revenue, etc., 285, 312, 771	McDaniel.
312	" to amend sec. 21, chap. 9, Wag. Stat., "voluntary assignments".....285, 312, 1634	Hall.
313	" to authorize county courts to submit to voters increase of taxation to erect public buildings.....286, 312, 1634	Arnold.
314	" to amend sec. 5 of act to provide for the organization and conduct of savings banks, etc.....286, 312, 1630	Patterson of Schuyler.
315	" to repeal act to establish a criminal court in the county of Johnson, etc.....285, 313	Tevis.
316	" for relief of L. C. Lohman.....285, 313, 1115	Wells.
317	" to amend chap. 113, Gen. Stat., "marriage and marriage contracts," etc.....286, 313, 1634	Ragan.
318	" to impose a license on keepers of jacks and stallions, etc.....285, 313, 340	Bonham.
319	" for relief of H. Lindsey.....286, 313, 1464, 1465	Arnold.
320	" to pay G. W. Gordon for property lost while being used by State.....285, 313, 637	Warren.
321	" to amend act to amend sec. 55, chap. 152, Gen. Stat., "partition" (attorneys' fees).....286, 313, 1634	Burrows.
322	" to amend chap. 212, Gen. Stat., "proceedings before trial," etc.....304, 313, 437, 599, 831	Wisby.
323	" to revise chap. 146, Gen. Stat., "juries".....304, 314, 681, 928, 1029, 1048, 1134, 1160, 1291, 1369, 1375	Wells.
324	" to repeal act in relation to judicial sales in St. Louis county.....305, 314, 330, 406, 556	Mudd of St. Louis.
325	" to repeal act for establishing and keeping in repair roads in St. Louis county.....305, 314, 332, 450, 556, 763, 775, 776, 841	Mudd of St. Louis.
326	" to repeal act concerning partition of lands in St. Louis county.....305, 314, 331, 449, 557, 746, 764, 774	Mudd of St. Louis.
327	" to repeal act in regard to the establishment and improvement of roads in St. Louis county.....305, 314, 331, 406, 555, 763, 777, 841	Mudd of St. Louis.
328	" to repeal act regulating fees of grand and petit jurors, etc., in St. Louis county.....305, 314, 331, 406, 559, 763, 775, 841	Mudd of St. Louis.
329	" to repeal act for the benefit of jailer of St. Louis county.....305, 314, 330, 407, 560, 764, 776, 841	Mudd of St. Louis.
330	" in relation to suing married women.....306, 314, 1634	Davis.
331	" to amend sec. 20 of act in relation to roads and highways, etc.....306, 314	Moler.
332	" to amend sec. 7 of act to provide for collection of delinquent taxes, etc.....306, 315, 1611	Adams.
333	" to encourage immigration.....304, 315	Hammons.
334	" in relation to assessment of notes, bonds, bills or written evidences of debt, etc.....305, 315	Larimore.

No.	House Bill.	Introduced by.
335	An act classifying property for purpose of taxation.....306, 315, 637, 751, 814	Smith of St. Louis.
336	“ to amend sec. 53, chap. 165, Gen. Stat.....305, 315, 670	Booth.
337	“ to amend sec. 51, art. 5, Wag. Stat., “pleadings”.....305, 315, 1634	Anderson.
338	“ to amend sec. 36 of act to divide State into judicial circuits, etc.....304, 315, 793	Cook.
339	“ to regulate sale of liquors by druggists, etc.....307, 340, 648, 649, 722, 723, 724, 838, 865, 1391, 1392	Gwynne.
340	“ to amend sec. 53, chap. 165, Gen. Stat., “quieting title to real property”.....307, 340, 1634	Mahn.
341	“ giving a lien to persons keeping, boarding or furnishing feed for horses, mules and other animals, etc.....307, 340, 1634	Collins.
342	“ to amend sec. 42 chap. 141, Gen. Stat.....308, 341, 636, 729, 754	Kneisley.
343	“ to regulate payment of warrants drawn against revenue fund, etc.....307, 341, 1611	Wells.
344	“ to repeal an act to regulate maximum amount of fees to be retained by circuit clerks in all counties and cities not within the limits of a county having a population of 300,000 inhabitants or more.....308, 340, 1634	Campbell of St. Louis.
345	“ to repeal an act concerning fees and the collection thereof, of justices of the peace in cities of 30,000 or more inhabitants.....308, 341, 409, 524	Campbell of St. Louis.
346	“ in relation to attorneys' fees in cases referred to arbitrators and referees.....307, 341, 1634	Cloud.
347	“ to amend act to regulate charges on railroads, etc.....308, 341, 1630	Knight.
348	“ to regulate sale of intoxicating liquors by druggists...308, 341, 1616, 1617	Burrows.
349	“ to amend sec. 66 of revenue law.....308, 342, 1611	Morrison.
350	“ to authorize issue of \$250,000 loan revenue bonds (sub No. 1, to appropriate money to pay revenue bonds)...309, 342, 934, 935, 936, 986, 1001, 1007, 1107, 1202, 1203, 1258, 1280, 1281, 1438, 1453, 1475	Ingram.
351	“ to amend chap. 62, Gen. Stat., “private corporations,” etc.....319, 342, 565	Crowther.
352	“ to revise chap. 70, Gen. Stat., “benevolent, religious and educational associations”.....319, 342, 1328	Campbell of St. Louis.
353	“ to revise chap. 65, Gen. Stat., “telegraph companies”...319, 342, 1630	Campbell of St. Louis.
354	“ to revise chap. 62, Gen. Stat., “private corporations,” etc.....319, 342, 1630	Campbell of St. Louis.
355	“ to revise chap. 64, Gen. Stat., “macadamized, graded and plank road companies”.....319, 342, 1010	Campbell of St. Louis.
356	“ to revise chap. 67, Gen. Stat., “insurance companies”...320, 342, 1630	Campbell of St. Louis.
357	“ to revise chap. 68, Gen. Stat., “savings banks and fund companies”.....320, 342, 1630	Campbell of St. Louis.
358	“ to revise chap. 69, Gen. Stat., “manufacturing and business companies”.....320, 342, 1630	Campbell of St. Louis.
359	“ to revise chap. 66, Gen. Stat., “appropriation and valuation of lands taken for telegraph, macadamized, graded, plank or railroad purposes”.....320, 343, 1630	Campbell of St. Louis.
360	“ to amend secs. 1 and 2 of act to provide for uniform system of county courts.....320, 343, 846, 888, 1322	Johnson.
361	“ to repeal act to aid in establishment of normal schools...320, 343, 1632	Lynn.
362	“ to repeal act to provide for payment of jurors in St. Louis county.....320, 343, 389, 524, 560, 764, 764, 777, 841	Mudd of St. Louis.
363	“ to repeal act to provide a jury system in St. Louis county...320, 343, 389, 524, 561, 777, 841	Mudd of St. Louis.
364	“ to repeal act in relation to justices of the county court in St. Louis county...320, 343, 388, 525, 562, 764, 776, 841	Mudd of St. Louis.
365	“ fixing the compensation of experts testifying in courts of record.....320, 343, 409, 439, 525, 616, 1615	Dougherty.

No.	House Bills.	Introduced by
366	An act to repeal act to provide for erection of a house for employment and support of poor in St. Louis county... 321, 343, 389, 525, 563, 764, 775, 841	Mudd of St. Louis.
367	“ to repeal act to work roads in St. Louis county...321, 343, 389, 525, 563, 764, 774, 841	Mudd of St. Louis.
368	“ authorizing judges of courts of record to appoint stenographers.....321, 344, 1634	Foster.
369	“ to create an income levy to produce a sinking fund for payment of State and municipal indebtedness.....320, 344, 565, 1611	Burrows.
370	“ to restrain domestic animals from running at large...325, 344, 1628	Larimore.
371	“ to amend secs. 8 and 18, chap. 129, Wag. Stat., fixing compensation of State Librarian and his assistant, 326, 344, 1632	Bonham.
372	“ to amend sec. 4 of an act to regulate inspection of petroleum, etc....325, 344, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1574, 1584, 1604, 1654	Settles.
373	“ to encourage farmers' stock sales.....325, 344, 349, 449, 617	Larimore.
374	“ to prevent public officers having charge of public funds from gambling, etc.....326, 344	Dade.
375	“ concerning fees of justices of the peace.....326, 344	Pepper.
376	“ to authorize counties to hold elections for the purpose of incurring indebtedness, etc.....325, 344, 1611	Haynes.
377	“ to provide for issuing duplicate State bonds or coupons, 339, 349, 1634	Dryden.
378	“ to license non-resident trappers, etc.....340, 349	Dawson.
379	“ to appropriate money to pay David Voeth.....340, 349, 518	Cox.
380	“ to protect owners of live stock.....340, 349, 857, 1007, 1008, 1024, 1164, 1240	Smith of Cedar.
381	“ to reorganize and provide for support of public schools, etc.....340, 349, 1621	Hammons.
382	“ to amend chap. 85, Wag. Stat.....340, 350	Adams.
383	“ to punish public officers for intoxication, etc.....339, 350, 437, 525, 618	Creager.
384	“ restraining certain animals from running at large.....340, 350, 1628	Craig.
385	“ to amend sec. 42, chap. 160, Gen. Stat., “executions,” 339, 350, 635, 750, 816	Palmer.
386	“ to revise chap. 113, Gen. Stat., “marriage and marriage contracts,”.....346, 350, 405, 456, 551, 654, 873, 946, 995	Harrington.
387	“ to repeal act to establish insane asylum No. 2.....348, 385, 925, 1618	Patterson of Linn.
388	“ to amend act to regulate fees of collectors.....348, 385, 721, 725, 858, 874, 926, 1023, 1045, 1241, 1349, 1350, 1351, 1364, 1392, 1425	Ragan.
389	“ regulating fees of witnesses.....348, 385, 1634	Cowan of Christian.
390	“ to amend sec. 11 of act in relation to roads and high ways, etc.....338, 385, 1025, 1132, 1144	Turner.
391	“ in relation to pawnbrokers.....348, 385, 480, 692, 839, 948, 1231, 1242, 1277	Brady.
392	“ to amend chap. 63, Gen. Stat., “railroad companies,” 348, 385, 1055	Lynn.
393	“ to prohibit the shooting, trapping or killing wild geese after sunset.....348, 385, 1630	Collins.
394	“ to amend act to revise and amend laws in relation to public schools in cities, towns and villages...349, 385, 1621	Berryman.
395	“ to amend sec. 1, chap. 68, Wag. Stat.....348, 386, 1634	Rawlings.
396	“ to provide a uniform system for cancelling county warrants.....348, 386, 692, 859, 972, 1119, 1160, 1292, 1337, 1354, 1375	Chilton.
397	“ to enable counties, cities, towns and townships to fund their bonded and other indebtedness.....348, 386	Ewing.
398	“ to provide ways and means to rebuild asylum No. 2...356, 386, 1618	Cook.

No	House bills.	Introduced by
399	An act to preserve the public school fund of cities and towns. 356, 386, 1359, 1392, 1540, 1568, 1592	Foster.
400	“ to amend act to regulate fees of collectors.....356, 386, 825	Price.
401	“ to repeal act to establish an insane asylum in the north- west or southwest portion of the State. etc.....356, 386	Powers.
402	“ to amend secs. 16 and 17, chap. 134, Gen. Stat., “Supreme Court,”.....356, 386, 468, 683, 793, 826	Campbell of St. St. Louis.
403	“ to change the name of St. Louis county.....360, 386, 1634	Mott.
404	“ to amend sec 50 of act dividing State into judicial cir- cuits, etc.....368, 386, 450, 526, 531, 724, 744, 774	Lackland.
405	“ to enable cities, incorporated towns, villages and school districts to collect delinquent taxes, etc.....368. 387, 439, 1634	Wells.
406	“ to amend sec. 3 of act to reorganize and provide for sup- port of public schools.....368, 387, 1621	Cook.
407	“ to prevent swine from running at large, etc.....368, 387, 664, 832, 924, 962, 1241, 1260, 1277	Bonham.
408	“ to appropriate money for payment of Daniel Baldrige etc., for outstanding U. M. Bonds.....369, 387, 739, 859, 1035, 1100	Craig.
409	“ to authorize the issue of currency bonds, etc.....369, 387, 1227, 1270, 1272	Organ.
410	“ to repeal act to create an insurance department.....369 387, 664	Cook
411	“ to amend an act entitled “Life insurance”.....378, 387, 1632	Taylor
412	“ declaring it felony to steal timber.....378, 387, 1616, 1617	Vancleve.
413	“ directing Auditor to audit bill of costs in favor of D. J. Jewitt, etc.....383, 414, 1130	Patterson of Schuyler.
414	“ to prevent the destruction of timber on non-resident lands.....383, 415, 912, 1029, 1052	Talbot.
415	“ to amend s-ct. 5, chap. 100, Gen. Stat., “Weights and measures”.....383, 415, 645	Carroll.
416	“ to amend sec. 35 of act to provide for appeals and writ of error in civil cases, etc.....383, 415, 636, 750, 821	Lackland.
417	“ to amend secs. 2, 3 and 5, art. 1, Wag. Stat.....383, 415	Dryden.
418	“ concerning the taxing of fees by clerks and justices of the peace.....383, 415	Dryden.
419	“ to prevent swine from running at large .....384, 415, 664, 832, 924, 962, 1241, 1260	Campbell of Atchison.
420	“ to protect horse shoers.....384, 415, 1628	Brady.
421	“ to abolish the office of Adjutant-General.....384, 415, 1635	Warren.
422	“ to amend sec 8. chap. 114, Gen. Stat., “Divorce, alimony and custody of children”.....384, 415, 648	Cowan of Holt.
423	“ to provide for inspectors of election in certain cases.....388. 415, 513, 670, 697, 1146	McCormick of St. Louis.
424	“ to establish a board of immigration, etc.....394, 416, 639, 751, 822, 836, 1351, 1517, 1518, 1519, 1520, 1521, 1547, 1623	Bonham.
425	“ to amend sec. 8 of act for the inspection of petroleum. 399, 416, 1632	Wells.
426	“ to amend secs. 1, 2, 3, 4 and 5 of act to regulate practice of medicine and surgery.....400, 416	Cloud.
427	“ to amend sec. 3, chap. 200, Gen. Stat., “Offenses against lives and persons of individuals”.....400, 416, 1616, 1617	Cox.
428	“ to protect contractors and laborers in their claims against persons, railroad companies or corporations, etc.....400, 416, 934	Cox.
429	“ to license dealers in tobacco and cigars.....400, 416, 1152, 1199, 1204, 1249, 1258, (1634)	Wells.
430	“ to repeal act amendatory of charter of North Mo. R. R. Co.....412, 453, 1634	Hammons.
431	“ to repeal secs. 9, 11, 12 and 13 of chap 160, Gen. Stat., “Of executions” etc.....413, 453, 876, 919, 1026	Windes
432	“ to repeal act to amend sec. 32, chap. 38, Gen. Stat., “County treasurers,” etc.....413, 453, 1122	Windes.
433	“ to amend sec. 1 of act for preservation of game animals and birds.....413, 453, 925	Windes.
434	“ to protect shippers of fat hogs and cattle.....413, 453, 918	Larimore.

No.	House Bills.	Introduced by
435	An act to amend act to regulate charges of railroad companies, etc.....413, 532, 1630	Pollard.
436	“ to provide for refunding indebtedness of the State, etc.....413, 454, 1611	Pollard.
437	“ to regulate inspection of petroleum oils.....416, 454, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1570, 1584, 1604, 1654	Campbell of St. Louis.
438	“ authorizing Attorney-General to institute proceedings for recovery of certain moneys.....435, 447, 460, 526, 605, 1352	Davis.
439	“ amending sec. 13 of act establishing probate courts.....441, 454, 1634	Moler.
440	“ to relieve wheat and tobacco growers from improper taxation.....441, 454, 1628	Larimore.
441	“ to amend secs. 1 and 2 of act to prescribe manner of posting stray animals, etc.....442, 454, 526, 669, 697	Crow.
442	“ to abridge and amend the stray law.....442, 454, 1628	Morrison.
443	“ to suppress disorderly conduct on passenger trains, etc.....441, 454, 1616, 1617	Chilton.
444	“ to provide for government of the State Penitentiary, the appointment of officers there or, and defining their duties.....442, 454, 509, 654, 793, 885, 886, 887, 899, 900, 901, 902, 939, 943, 1364, 1392, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1444, 1483, 1484, 1491, 1559, 1560, 1653	Lesueur.
445	“ to amend act authorizing imprisonment of persons convicted of misdemeanors, in other places than county jails .....445, 454	Carleton.
446	“ to amend secs. 1 and 3 of act for incorporation of insurance companies other than life assurance companies, etc.....445, 454, 1632	Saunders.
447	“ to amend sect. 40 of act for incorporation of life insurance companies, and for regulation of life assurance business.....445, 455, 1652	Saunders.
448	“ for the relief of Sullivan & Dodd.....447, 455, 1192, 1206	Vancleve.
449	“ supplementary to and amendatory of act to provide for reorganization of St. Louis circuit court, etc.....447, 455, 509	Foster.
450	“ to appropriate money to rebuild asylum No. 2.....463, 473, 1618	Wells,
451	“ to establish a bureau of labor statistics .....463, 481, 1009, 1102, 1134, 1195	Hall.
452	“ to amend secs. 7 and 8 of art. 1 of act for government of cities of the fourth class.....464, 473, 1630	Bowman.
453	“ to amend sec. 32, chap. 27, Gen. Stat., “County Surveyors”.....466, 481, 1315, 1371, 1375	Ballew.
454	“ to repeal act to incorporate town of Rolla.....466, 481, 1630	Bowman.
455	“ to restrain breachy stock from running at large.....466, 482, 1628	Cloud.
456	“ to regulate warehouses and the storage of grain, etc.....473, 482, 1174, 1270, 1295	Lesueur.
457	“ to amend sec. 8, chap. 43, Wag. Stat., “Dramshops, dramshop keepers, and their licenses”.....479, 532, 881, 1010, 1131, 1194	Dade.
458	“ providing for taxation of insurance companies.....479, 532, 1632	Settles.
459	“ in relation to insurance.....479, 532, 1632	Maynard.
460	“ to repeal secs 3 and 4 of act to promote payment of jurors in St. Louis county, and sec. 19 of act to provide for reorganization of St. Louis circuit court and regulate proceedings therein.....479, 532, 911, 1029, 1053	Hall.
461	“ for relief of S. W. Smith and J. R. Jones of Benton county.....479, 533, 1115, 1186, 1260, 1300	Freed.
462	“ to provide for exemption of certain property from execution, etc.....479, 533, 1634	Vancleve.

No.	House Bills.	Introduced by
463	An act to amend an act "change of venue," chap. 158, page 633 Gen. Stat., (chap. 42, page 1355 Wag. Stat.,) and to repeal sec. 2 of act to provide for holding courts by judge of another circuit, and for selection of temporary judge in certain cases.....479, 533, 1634	Warren.
464	" relating to employment of deputy clerks of supreme court.....480, 533, 1634	Bashaw.
465	" to amend secs. 4 and 5 of act to authorize sale of fractional section 16, township 45 north, range 7 east, etc.....480, 533	Dryden.
466	" commuting time of imprisonment of persons confined in county and city jails under sentence therein.....480, 533, 648	Foster.
467	" to prevent public drunkenness.....480, 533, 1616, 1617	Carleton.
468	" to amend sec. 77, chap. 53, Gen. Stat., "Executions".....480, 533, 1634	Louthan.
469	" to amend sec. 23, chap. 146, Gen. Stat., "jurors".....480, 533	Dryden.
470	" to amend act to provide for collection of delinquent taxes, etc.....492, 534, 770, 868, 872, 1016, 1271, 1386, 1395, 1408	Chilton.
471	" to amend secs. 1 and 2 of act to regulate practice of medicine and surgery.....492, 534, 882, 1057, 1065	Johnson.
472	" to amend sec. 14, chap. 99, Wag. Stat., "Mortgages".....492, 534, 1634	Moler.
473	" to provide a uniform system of county courts, etc.....492, 534, 1634	Hammons.
474	" to authorize the sale of property escheated to the State...493, 534, 670	McKinney.
475	" to amend sec. 13, art. 5, Wag. Stat., "Settlements of accounts of executors and administrators".....493, 534, 648, 1634	Rawlings.
476	" to amend sec. 10, art. 6, Wag. Stat., "Distribution of estates".....493, 534, 1634	Rawlings.
477	" to repeal sec. 5, chap. 6, Wag. Stat., "Animals," etc.....493, 534, 810, 939, 1035	Windes.
478	" to amend sec. 3, chap. 200, Gen. Stat.....493, 534, 1616, 1617	Haynes.
479	" to repeal sec. 2 of act in relation to public institutions...502, 535, 880, 998, 1036, 1119, 1125, 1182	Phelan.
480	" for payment of Peter J. Diercks, etc.....502, 535, 782, 783	Andrews.
481	" in relation to the number of persons who shall compose county courts.....512, 535, 1632	Larimore.
482	" to amend sec. 67, chap. 46, Gen. Stat., "Loaning school moneys".....512, 535, 1621	Dougherty.
483	" to amend secs. 2 and 3, art. 1, chap. 118, Wag. Stat., "revenue,".....512, 535, 1611	Windes.
484	" providing for appointment of liquor inspectors, etc.....523, 573, 646, 750, 924, 1028, 1165, 1230, 1239, 1333, 1344	Molar.
485	" to amend sec. 13, art. 9, chap. 82, Wag. Stat., "justices courts,".....523, 573	Wells.
486	" to authorize cities and towns to issue bonds to fund their indebtedness.....523, 573, 1630	Cock.
487	" to repeal act to prevent destruction of fish.....523, 573, 1174, 1229	Chenoweth.
488	" to prohibit the manufacture and sale of brooms in the penitentiary, etc.....545, 573	Pehle.
489	" to amend sec. 69, chap. 118, Wag. Stat.....545, 573, 809, 946, 1048	Price.
490	" to provide for payment of wages of labor in lawful money of the United States ....545, 573, 1017, 1141, 1166	Manistie.
491	" to provide for seperation of offices of county clerk and recorder of deeds.....545, 574, 1008, 1148, 1164, 1194, 1201, 1380, 1403, 1425	Taylor.

No.	House Bills.	Introduced by
492	An act to provide for filling office of recorder of deeds.....545, 574, 1008, 1131, 1146, 1380, 1479, 1493, 1574	Taylor.
493	“ concerning procedure before justices of the peace.....545, 574, 1008, 1146, 1380, 1479, 1530	Wells.
494	“ to regulate insurance of property against loss or damage by fire.....549, 574, 1632	Bryan.
495	“ concerning fees paid sheriffs, marshals and other offi- cers for boarding prisoners.....549, 574, 746, 858, 923, 1013, 1022, 1039	Settles.
496	“ for the payment of lost defense warrants.....570, 600, 781, 868, 1036	Davis.
497	“ in relation to bastards, etc.....570, 600, 912, 956	Lockhart.
498	“ to amend act for government of cities of the fourth class.....571, 600, 1630	Chenoweth.
499	“ relating to deposits to be made by foreign insurance companies.....571, 601, 1021	Saunders.
500	“ in relation to bastardy.....571, 601, 913	Harrigan.
501	“ to amend sec. 6, chap. 3, Wag. Stat., “advertisements,” 571, 601, 682, 832, 955	Adams.
502	“ to amend sec. 29, chap. 115, Wag. Stat., “recorder of deeds,”.....571, 601, 1634	Adams.
503	“ to amend act to amend chap. 57, Gen. Stat., “asylum for education of deaf and dumb,” etc.....571, 601, 1618	Powers.
504	“ in relation to druggists.....576, 601, 1142, 1229, 1253, 1630	Davis.
505	“ to amend act to exempt certain property, etc., from tax- ation.....583, 601	Carroll.
506	“ to provide for redemption of real estate, etc.....583, 601	Cloud.
507	“ to amend act to regulate charges of railroad companies, etc.....584, 601, 1055, 1081, 1634	Settles.
508	“ to amend sec. 15, chap. 98, Gen. Stat., “dram-shop keep- ers and their licenses,”.....587, 602, 1616, 1617	Chilton.
509	“ to provide for the purchase and supplying of school books for school districts.....587, 602, 1127	Pepper.
510	“ to amend act to amend sec. 1, chap. 96, Gen. Stat., “ped- dlers’ licenses,”.....587, 602, 770, 858, 921	Price.
511	“ to preserve the purity of elections and prevent official corruption.....587, 602, 728, 862, 919, 992, 1189, 1207, 1232	Mudd of Lin- coln.
512	“ to amend sec. 33 of act for incorporation and regulation of life assurance companies.....587, 602, 1632	Mott.
513	“ to require the Governor to appoint a committee of Gen. Assembly to examine State institutions.....587, 602, 809, 946, 1057, 1197	Powers.
514	“ to amend sec. 25, chap. 32, Gen., Stat. “Witness fees” 587, 602, 781	Wells.
515	“ to amend sec. 10, art. 1 of act for government of cities of fourth class.....587, 602, 1207	Mudd of St. Louis.
516	“ to amend sec. 2, chap. 141, Gen. Stat.....587, 602, 1634	Haynes.
517	“ in relation to nursery stock grown in this State, and non- exemption of certain property.....587, 603, 780, 869, 1033	Harrington.
518	“ to regulate the sale of spirituous liquors.....588, 603, 1616, 1617	Whitaker.
519	“ to amend sec. 2 chap. 142, Gen. Stat.....617, 641, 847	Mott.
520	“ relating to the description of land.....617, 641, 1634	Cowan of Holt.
521	“ to amend sec. 20 of act in relation to roads and highways 618, 641, 1018, 1141, 1168	Dawson.
522	“ to amend sec. 11, chap. 160, Wag. Stat. “Executions” 618, 641, 1634	McGarry.
523	“ to amend secs. 10 and 16, art 3, chap. 76, Wag. Stat. “in- surance other than life”.....618, 641, 1632	Mott.
524	“ in relation to fees of justices of the peace.....618, 641	Bryan.
525	“ to regulate salary of circuit attorney of 8th judicial cir- cuit.....630, 641, 973, 1102, 1134, 1352	Pepper.
526	“ to regulate sale of tickets, rate of fare and taxes and licenses to be paid by street railroad companies...630, 642, 974, 1630	Brady.

No.	House bills.	Introduced by
527	An act to repeal sec. 5 of act establishing uniform system of probate courts.....630, 642, 1634	Larimore.
528	“ to amend sec. 16 of act establishing probate courts.....630 646, 1634	Mabrey.
629	“ to amend an act to provide for collection of delinquent taxes, etc .....645, 666, 1611	Ewing.
530	“ concerning approval of official bonds, etc.....645, 666, 1634	Hynes.
531	“ concerning frauds at primary elections.....645, 666, 1636	Mahn.
532	“ to authorize refunding State debt at lower rate of interest 663, 699, 1611	Cowan of Christian.
533	“ to provide for transferring records of swamp land patents from county clerk to recorder... 663, 699, 781, 939, 986, 1095, 1160, 1354, 1392, 1465, 1475	Carleton.
534	“ authorizing county courts to correct swamp land entries. patents and records.....663, 699, 847, 945, 987, 1095. 1118, 1127	Carleton.
535	“ to amend sec. 5, chap. 76, Wag. Stat. “To create an in- surance department”.... 663, 699, 1632	Pehle.
536	“ to enable cities and towns to fund their existing bonded indebtedness, etc.....663, 699, 1352, 1408, 1455, 1498, 1527, 1529, 1532, 1533, 1618, 1624, 1636	Lackland.
537	“ to amend sec. 7, chap. 108, Gen. Stat.....676, 699, 1634	Booth.
538	“ for relief of Julia L. Ivie.....676, 699, 731, 858, 1058, 1467, 1492, 1574	Vancleve.
539	“ to amend act to create insurance department.....678, 699, 773, 946, 1059	Cook.
540	“ to repeal act to provide for the exercise of the right of voting by persons who have failed to register.....678, 700	Harrigan.
541	“ to amend act to establish a court of common pleas at Sturgeon.....678, 700, 779, 855, 1060, 1068	Kneisley.
542	“ to amend chap. 205, Gen. Stat. “Offenses against public peace,” etc.....684, 700, 912, 1103, 1135	McCormick of St. Louis.
543	“ to amend sec. 1, chap. 68, Wag. Stat., “homesteads,” 691, 734	Louthan.
544	“ fixing compensation of Secretary of Senate and Chief Clerk of House.....691, 735, 743, 750, 771, 873, 884, 886	Arnold.
545	“ to authorize counties which adopted township organiza- tion law, when same was in force, to provide for pay- ment of debts of such townships as debts left unpaid when said law was repealed..... 691, 735, 1506, 1527 1541, 1542	Patterson of Linn.
546	“ defining jurisdiction of common pleas courts.....691, 735 847, 997, 1066	Burford.
547	“ to relieve the financial wants of the State.....691, 735, 761, 762, 825	Larimore.
548	“ to authorize collection of fines and costs from saloon and dramshop keepers.....692, 735, 1616	Cock.
549	“ to amend sec. 5, chap. 214, Gen. Stat., “verdict and judg- ment and proceedings thereon,”.....694, 735, 1616, 1617	Carleton.
550	“ to provide for redemption of real estate sold under fore- closure of mortgage, etc.....705, 735, 846, 1007, 1051	Reynolds.
551	“ to amend act to amend act to regulate inspection of petroleum, etc.....708, 735, 1616, 1617	Dade.
552	“ to repeal act concerning street railroads in St. Louis, etc., 714, 735, 1098, 1132, 1149, 1196, 1380, 1400, 1401, 1625, 1626	Dryden.
553	“ to classify railroads, etc.....721, 735, 761, 981, 1117, 1160, 1392, 1407, 1509, 1510, 1511	Pollard.
554	“ declaring city of Webb a city of fourth class.....711, 736	Pollard.
555	“ requiring public schools to be taught six days in each week.....721, 736, 1632	Burford.
556	“ to encourage capture of horse and mule thieves.....721, 736, 881, 916, 1029, 1069	Burford.
557	“ to repeal act to incorporate the Caruthersville Education Society..... 721, 736, 780, 859, 988, 1312, 1332, 1353	Carleton.
558	“ to amend act in relation to roads and highways, etc., 721, 736	McKill.

No.	House Bills.	Introduced by
559	An act to amend act to amend sec. 52, chap. 34, Gen. Stat., and to provide for election to strike off portion of Miller county and add same to Camden county.....726, 752, 890, 909, 925, 1023, 1116	Windes.
560	“ to amend sec. 18 of act establishing probate courts....726, 752, 909, 1093, 1135	Gwynne.
561	“ authorizing Board of Directors of Wellsville to take up and remove certain dead bodies.....726, 752, 847, 1006, 1014, 1176, 1182, 1197	Talbot.
562	“ to amend sec. 22, chap. 93, Gen. Stat., “merchants and their licenses,”.....727, 752, 1616, 1617	Powell.
563	“ in relation to judgments against railroad companies for damages.....727, 752, 925, 1634	Patterson of Schuyler.
564	“ to amend sec. 1 of act to restrain domestic animals from running at large in city of St. Louis, etc.....727, 752	Mott.
565	“ to abolish office of railroad commissioner.....727, 753	Campbell of Atchison.
566	“ to amend chap. 204, Gen. Stat., “ offenses by persons in office or affecting public trusts,” etc.....727, 753, 881, 1057, 1070	Brown.
567	“ to amend sec. 5 of act for classification of cities and towns. 728, 753, 912, 1102, 1555	Hall.
568	“ to amend sec. 1 of act to restrain domestic animals from being herded on lands other than that of the owner of such herd, etc.....732, 753, 1101, 1185, 1313, 1352	Mott.
569	“ to facilitate collection of taxes due upon personal property.....738, 753, 1611	Windes.
570	“ to amend sec. 9, chap. 124, Gen. Stat., “settlement of accounts of executors and administrators,”.....738, 753, 1634	Mabrey.
571	“ to appropriate money to pay for wolf scalps, 739, 753, 1611	Powers.
572	“ to amend sec. 32, chap. 189, Gen. Stat., “landlords and tenants”.....739, 753, 1634	Harrigan.
573	“ to amend secs. 29 and 58, chap. 118, Wag. Stat., “revenue”.....739, 753, 1611	Chilton.
574	“ establishing reasonable maximum rates of charges for transportation of passengers and freight on railroads. etc.....739, 753, 778, 796	Chilton.
575	“ to provide for reducing the cost of education.....739, 754	Pollard.
576	“ to prohibit discharge of fire-arms in immediate vicinity of any court-house, church, or building used for school or college purposes, 746, 754, 839, 946, 955, 1231, 1242, 1276	Bryan.
577	“ in relation to attorneys at law.....747, 754, 1634	Harrington.
578	“ for relief of A. J. Curnut.....747, 754, 1010	Warren.
579	“ for relief of heirs of Wm. Riggins, dec'd.....747, 754, 1115	Warren.
580	“ to amend secs. 1 and 2, chap. 139, Wag. Stat., “trusts and trustees”.....750, 795, 1332	Mudd of St. Louis.
581	“ amending sec. 33 of act dividing State into judicial circuits, etc.....750, 795, 997, 1132, 1149, 1380, 1404, 1425	Wiley.
582	“ to amend act to provide for registering and licensing of dogs.....761, 795, 1628	Pollard.
583	“ to amend act to regulate charges of railroad companies, etc.....760, 795, 1055, 1141, 1221	Craig.
584	“ to appropriate money to erect tombstone over remains of Thos. J. Howell, late representative.....760, 795, 915, 1057, 1072, 1189, 1207, 1277	Greer.
585	“ to amend section 7 of act in relation to roads and highways, etc.....761, 795, 1025, 1630	Lesueur.
586	“ to amend sec. 1 of act to regulate mining in cities and towns, etc...761, 796, 998, 1311, 1317, 1467, 1508, 1526, 1565, 1585, 1592	Lesueur.
587	“ in relation to dramshops.....761, 796, 1616, 1617	Larimore.
588	“ to amend sec. 15, chap. 69, Gen. Stat...761, 796, 1106, 1186, 1346, 1407, 1455, 1533, 1568, 1592	Saunders.
589	“ to repeal sec. 43 of supplement to chap. 27, Wag. Stat., etc., “county surveyors”.....761, 796, 1333	Mudd of St. Louis.

No.	House Bill.	Introduced by
590	An act to amend sec. 1 of act to reorganize Board of Curators of State University, etc.....761, 796, 1621	Kneisley.
591	“ regulating assessment and taxation of notes and other evidences of indebtedness.....778, 813, 1611	Burford.
592	“ to regulate rate of interest.....778, 813, 1632	Rawlings.
593	“ reorganize and diminish number of judicial circuits, etc., 778, 813, 1152, 1844	Spring.
594	“ to authorize Auditor to allow board bills of Dan'l Peterson, jailer of Madison county.....779, 813, 1140	Turner.
595	“ to amend act for preservation of game animals and birds, etc.....779, 813, 1628	Crowther.
596	“ to enable physicians and surgeons to enroll as such who were entitled to enroll under act to regulate practice of medicine and surgery, etc.....779, 813, 1634	Powell.
597	“ to enable plaintiffs litigant to have service of process on foreign corporations.....810, 1630	Pepper.
598	“ for the protection of coal miners.....810, 934, 1093, 1137	Vancleve.
599	“ to create a State Board of Health, etc.....811, 1634	Dougherty.
600	“ to amend sec. 50, chap. 116, Gen. Stat., “curators, guardians and wards”.....811, 1634	Rawlings.
601	“ to amend act making illegal voting a felony, etc.....811, 1616, 1617	Mahn.
602	“ regulating interest of money.....811, 602, 910, 1093, 1137, 1217, 1277	Powell.
603	“ to regulate assessment and collection of taxes on boats and vessels, etc...839, 857, 1016, 1017, 1180, 1243, 1282, 1426, 1433, 1592	Mott.
604	“ to appropriate money out of the executors' and administrators' fund, the swamp land indemnity fund and the road and canal fund.....839, 857, 1611	Davis.
605	“ permitting publishers of newspapers and other periodicals, in libel suits, to introduce certain evidence in mitigation of damages.....839, 857, 1634	Arnold.
606	“ to amend act in relation to public institutions of the State.....840, 904, 1634	Powers.
607	“ regulating the interest of money.....841, 904, 1630	Campbell of Atchison.
608	“ in relation to title to certain school lands, etc...851, 904, 933, 1018, 1142, 1169, 1404, 1440, 1475	Foster.
609	“ supplementary to and amendatory of act for incorporation of insurance companies other than life, etc...852, 904, 1632	Riley.
610	“ to amend chap. 212, Gen. Stat., “proceedings before trial”.....857, 905, 951	Wisby.
611	“ for protection of orphans and children of poor parents, 868, 905, 1091, 1387	Burford.
612	“ to repeal 4th section of act to amend sec. 42, chap. 136, Gen. Stat., “circuit courts,” providing additional compensation for judge of 16th circuit.....868, 905, 949, 1103, 1122, 1126, 1263, 1273, 1274	Settles.
613	“ declaring certain State bonds due and payable...868, 905, 1128, 1229, 1254	Organ.
614	“ to amend sec. 36 of act concerning assessment and collection of revenue.....868, 905, 1611	Foster.
615	“ to admit Henry K. Legg of Barry county to the practice of medicine and surgery.....870, 905, 932, 1102, 1123, 1124, 1176, 1197	Bryan.
616	“ to authorize elections to change boundary lines of counties.....870, 905, 933, 1057, 1072	Bryan.
617	“ to employ convict labor on agricultural farm and mechanical college.....870, 905, 957, 1080, 1073, 1078	Mudd of St. Louis.
618	“ to amend act in relation to roads and highways...870, 906	Riley.
619	“ to amend secs. 3, 19 and 25, chap. 10, Wag. Stat., “Asylums,”.....870, 906, 1611	Riley.
620	“ to repeal an act to encourage destruction of grasshoppers.....870, 906, 1628	Riley.

No.	House Bills.	Introduced by
621	An act to prescribe and regulate duties of circuit attorney of Eighth Judicial circuit, and prosecuting attorneys of Lincoln, Warren and St. Charles.....888, 906, 950, 1093, 1126	Pepper.
622	“ declaring rebates illegal and providing penalties.....889, 906, 1010, 1103, 1138, 1380, 1419, 1441	McCormick of St. Louis.
623	“ providing for removal of justices of the peace and ministerial officers for extortion, malfeasance or oppression in office.....889, 906, 1009, 1010, 1132, 1149	McCormick of St. Louis.
624	“ to amend secs 3, 4 and 5 of act to compel sheriffs, marshals, coroners (and other officers) to pay over fees of witnesses and others when collected by them.....889 906, 1009, 1093, 1112, 1364, 1420, 1441	Arnold.
625	“ authorizing appointment of clerks for circuit attorneys in cities having a population of 200,000 inhabitants, or more, and providing for their compensation...889, 906, 974, 1030, 1044, 1380, 1403, 1425	Harrigan.
626	“ to amend act to abolish offices of circuit and county attorney and to provide for election of prosecuting attorney.....889, 906, 950, 1103, 1139	Harrigan.
627	“ to amend sec. 2, chap. 113, Gen. Stat., “Marriage and marriage contracts,”.....889, 907, 1616, 1617	Cowan of Holt.
628	“ to authorize county courts to investigate county records.. 889, 907, 1634	Burrows.
629	“ to define a rule for computing life interests in estates..... 907, 937, 1249, 1634	Dryden.
630	“ to amend sec. 31, chap. 122, Gen. Stat., concerning sales of real estate at real estate exchange.....907, 937, 999, 1346, 1488, 1502, 1503, 1504, 1611, 1613, 1624, 1654	Mott.
631	“ to amend sec. 31, chap. 38, Gen. Stat...907, 937, 1114, 1203, 1223	Chenoweth.
632	“ to amend sec. 27, chap. 13, Gen. Stat., “Collection of revenue and miscellaneous provisions”.....907, 937, 1611	Chenoweth.
633	“ to amend sec. 42, chap 160, Gen. Stat.....907, 937, 999, 1346, 1488, 1502, 1504, 1613, 1623, 1655	Mott.
634	“ to establish Asylum No. 2, near Lexington...909, 937, 1632	Collins.
635	“ to regulate sale of intoxicating liquor...909, 938, 1616, 1617	Patterson of Schuyler.
636	“ to amend act to amend secs. 18 and 26, chap. 189, Gen. Stat., “Landlords and tenants”.....909, 938, 1628	Rawlings.
637	“ to amend sec. 7, art. 1, chap. 76, Wag. Stat., “Insurance department”.....909, 938, 1022	Mahn.
638	“ to appropriate money.....919, 938, 1129, 1203, 1206, 1219, 1227, 1287, 1301, 1364, 1399, 1441, 1442, 1443, 1444, 1453, 1459, 1465, 1466, 1493	Davis.
639	“ granting pension to F. Miller.....919, 938, 1115, 1165, 1227, 1228, 1287, 1323	Davis.
640	“ to provide for appointment of police commissioners in certain cases.....919, 931	McGarry.
641	“ to suspend legal proceedings to enforce collection of delinquent taxes, etc.....919, 938, 1611	Cock.
642	“ authorizing the administering of oaths free of charge by certain officers.....920, 958, 1008, 1091, 1165, 1255, 1352, 1397, 1420, 1441	Mott.
643	“ to regulate fees.....920, 959, 1119, 1243, 1244, 1328, 1329, 1407, 1464, 1470	Cook.
644	“ to establish Lunatic Asylum No. 2 at Selma, etc.....920, 959, 1611	Arnold.
645	“ to provide for inspection of weights and measures, etc. 920, 959, 1174, 1287, 1323, 1373	Mudd of St. Louis.
646	“ separating the offices of sheriff and jailer, and providing for election of a jailer in each county...920, 959, 1106, 1164, 1257	Swank.
647	“ to amend sec. 1, chap. 16, Gen. Stat.....921, 959, 1283, 1353, 1405, 1550, 1569, 1657	Booth.
648	“ for relief of J. G. McClaren.....921, 959, 1141, 1216, 1233, 1467, 1491, 1535	Mabrey.

No.	House Bills.	Introduced by
649	An act to amend act entitled "dramshop-keepers and their licenses,".....921, 959, 1616, 1617	Mabrey.
650	" imposing a tax and prescribing mode of collecting same on privilege of selling wine, ardent spirits or malt liquors, etc.....925, 959, 1159, 1249, 1421, 1450, 1453, 1454	Davis.
651	" to provide for licensing dealers in witness fees.....925, 959, 1634	Patterson of Schuyler.
652	" commuting time of persons confined in county jails, under sentence therein.....932, 960, 1106, 1216	Foster.
653	" to amend sec. 11 of act to provide for collection of delinquent taxes, etc.....932, 960, 1611	Hall.
654	" to repeal secs. 47, 48, 49, 50, 51, 52, 54, 55, 56 and 57, chap. 2. Rev. Stat., 1865, and to provide for determining contested elections.....940, 960, 1636	Farr.
655	" to regulate maximum amount of fees to be retained by clerks of circuit courts in all counties and cities not within limits of counties having population of 300, -000 or more.....940, 960, 1114	McGarry.
656	" to authorize sale of property escheated to the State.....951, 960, 1634	McKinney.
657	" for relief of Thos. Wallace.....953, 960, 1115, 1217, 1318, 1550, 1570, 1654	Windes.
658	" to promote peace and order at elections.....985, 1011, 1634	Lockhart.
659	" to amend sec. 2 of act to provide a uniform system of county courts.....985, 1011, 1634	Hynes.
660	" to provide for obtaining certain statistical information, etc.....985, 1011, 1152, 1229, 1321, 1404, 1426, 1515, 1516, 1530, 1574	Finks.
661	" to regulate manufacture and sale of bitters or medicated intoxicating liquors.....985, 1011, 1616, 1617	Hynes.
662	" providing it shall not be necessary to be owner of real estate to hold office or be judge or clerk of election in cities or towns.....997, 1011, 1097, 1203, 1220, 1380, 1404, 1425	Carroll.
663	" to regulate business of fire insurance.....999, 1014, 1632	Saunders.
664	" to require pawnbrokers to pay a State license.....999, 1014, 1616, 1617	Brady.
665	" allowing ex-county collectors and their attorneys one-half the commissions on judgments obtained in suits on back taxes by them.....999, 1014, 1128, 1186, 1222	Riley.
666	" to appropriate money for repairs of fences and enclosures of capitol grounds .....1010, 1014, 1116	Cox.
667	" to amend certain sections of act to incorporate cities of the first class.....1010, 1014, 1630	Hall.
668	" to require certain officers to pay over fees to the treasurer of certain municipalities.....1010, 1014, 1630	McCormick of St. Louis.
669	" to amend act to amend secs. 14 and 17, chap. 57, Wag. Stat., (1875,) by adding another section prescribing penalties, etc.....1011, 1014, 1616, 1617	Dade.
670	" providing for election of criminal sheriff in cities of population of 300,000 inhabitants.... 1012, 1026, 1054	Carroll.
671	" in relation to locating and establishing roads, etc..... 1013, 1026, 1611	Younger.
672	" for the protection of libraries and museums.....1013, 1026, 1098	Foster.
673	" to appropriate money to rebuild lunatic asylum No. 2 at St. Joseph, etc.....1013, 1026, 1128, 1164, 1192, 1276, 1288, 1353	Riley.
674	" to provide for payment of county warrants.....1016, 1026, 1611	Dade.
675	" requiring county courts to pay assessors for listing dogs, 1016, 1027, 1611	Bowman.
676	" to enforce liability of heirs and devisees for debts of their intestate or testator.....1017, 1027, 1634	Lackland.
677	" to prevent removal of general offices and machine shops by railroad companies, etc..... 1017, 1027, 1634	Settles.

No.	House bills.	Introduced by
678	An act providing maximum compensation of sheriffs of municipalities, (concerning sheriff of St. Louis city)..... 1020, 1041, 1332, 1407, 1444, 1613, 1624, 1636	McCormick of St. Louis.
679	“ to prevent fraud and to protect the public health..... 1020, 1041, 1114, 1186, 1230	Alldrige.
680	“ to regulate the practice of medicine and surgery in Pem- isot county.....1020, 1041, 1106, 1270, 1320	Carleton.
681	“ to amend sec. 13, chap. 7, Gen. Stat.....1020, 1041, 1634	Pehle.
682	“ to amend act dividing State into judicial circuits.....1020, 1041, 1097, 1202, 1333, 1540, 1557, 1592	Kendall.
683	“ authorizing payment of unpaid salary of T. B. English... 1020, 1041, 1151, 1228, 1334, 1438, 1452, 1453, 1493	Burford.
684	“ fixing rate of interest at not more than 6 per cent. on loans secured by real estate.....1020, 1041, 1151, 1230, 1336	Burford.
685	“ to provide for election of judges of circuit courts for each judicial circuit as created by 30th Gen. Assembly..... 1020, 1041, 1634	Mabrey.
686	“ to create a State board of health and vital statistics..... 1023, 1042, 1611	Saunders.
687	“ to amend act to provide for registration of bonds by counties, cities and incorporated towns, etc.....1026, 1042, 1611	Carleton.
688	“ to amend secs. 2 and 5 of act to apportion State into con- gressional districts.....1029, 1042, 1636	Dryden.
689	“ to appropriate money for relief of L. H. Linville, former sheriff and collector of Wayne county.....1032, 1042, 1140, 1217, 1335, 1372	Powers.
690	“ to authorize county courts to procure surveys of French and Spanish claims, etc.....1032, 1042, 1174, 1498, 1527, 1529, 1531, 1603, 1617, 1623, 1653	Pepper.
691	“ in relation to barbed wire fences.....1040, 1062	Cloud.
692	“ to amend act to amend sec. 37 of act to reorganize and provide for support of public schools, etc.....1040, 1062, 1487, 1501, 1540, 1541	Cock.
693	“ to raise State revenue.....1040, 1062, 1228	Smith of Cedar.
694	“ amendatory of sec. 5 of act to provide for collection of delinquent taxes, etc.....1040, 1062, 1611	Burford.
695	“ to provide for election of transfer clerks, etc.....1040, 1063, 1634	Wiley.
696	“ to provide for exercise of right of voting.....1040, 1063, 1636	Cox.
697	“ to make malicious libel a felonious offense.....1040, 1063, 1105, 1106, 1634	McGarry.
698	“ to amend chap. 117, Gen. Stat., “masters, apprentices and servants,” .....1040, 1063, 1319, 1392	Lesueur.
699	“ to aid State Horticultural Society in making exhibition of products of Missouri at National Exposition to be held at Nashville, Tenn.....1040, 1063	Mudd of St. Louis.
700	“ in relation to separate property of married women..... 1041, 1063, 1634	Foster.
701	“ concerning publication of judicial notices in cities of more than 100,000 inhabitants.....1041, 1063, 1110, 1229, 1338, 1458, 1492, 1535	Foster.
702	“ to punish illegal issuance of license to sell intoxicating liquors.....1044, 1063, 1616, 1617	Dade.
703	“ amendatory of sec. 9, chap. 109, Gen. Stat.....1045, 1063, 1634	Burford.
704	“ to amend act to amend act to incorporate town of Pleas- ant Hill.....1051, 1063, 1373	Spring.
705	“ to amend secs. 49 and 66, chap. 118, Wag. Stat., “assess- ment and collection of revenue,” .....1051, 1064, 1611	Mudd of St. Louis.
706	“ to amend act to revise and amend laws in relation to pub- lic schools in cities, towns and villages.....1052, 1064, 1173, 1243, 1339, 1376, 1538, 1557, 1574	Bashaw.
707	“ to impose tax on incomes.....1052, 1064, 1611	Ewing.

No.	House bills.	Introduced by /
708	An act relating to county officials.....1060, 1064, 1634	Patterson
709	“ declaratory of the revised Statutes of the State of Missouri and their effect, etc.....1341, 1352, 1421, 1422, 1423, 1424, 1426, 1427, 1446, 1447, 1592, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1626, 1641, 1653	of Schuyler. McDaniel.
710	“ for organization and government of Missouri Militia.....1448, 1465, 1469, 1470, 1502, 1505	McIntyre.
711	“ to revise and amend title 36, chap. 174, Gen. Stat., “publication of judicial notices,” etc.....1460, 1465, 1485, 1502, 1503, 1557, 1594, 1613, 1624, 1636	McIntyre.

Joint and Concurrent Resolutions.

No.	Joint and Concurrent Resolutions.	Introduced by
1	Repeal of resumption act.....53, 64, 1640	Powell.
2	Declaring the present a revising session.....55, 64	Finks.
3	Mexican war veterans' bounty..... 55, 64, 130, 181, 781, 810, 825	Bryan.
4	Committee to revise Statutes.....56, 84	Lackland.
5	Sale of leaf tobacco .....61, 109, 130, 182, 192, 671, 702, 762	Bryan.
6	Improvement of White river.....70, 81, 332, 448, 473, 1176, 1182, 1197	Johnson.
7	Providing for Supreme Court commission.....72, 81, 515, 583, 683	Foster.
8	Placing enrolled militia on footing with volunteers.....76, 109, 287, 486	Ingram.
9	War claims.....76, 109, 1151, 1640	Cook.
10	Tax on leaf tobacco.....82, 116	Burrows.
11	Reduction of salaries in National government.....117, 148, 275, 372, 655, 1177, 1182, 1197	Vanceleve.
12	National finances.....117, 148, 394	Knight.
13	Proceedings against criminals.....129, 148, 407, 408, 531, 532, 584, 585, 586	Hammons.
14	Special Committee on Revision.....146, 150, 156, 158, 167, 239, 249, 582	McDaniel.
15	Jurisdiction of Court of Appeals.....149, 190, 283, 514, 640	Foster.
16	Revision of Statutes .....150, 190	Cooper.
17	Opening Indian Territory.....190, 200, 332, 449, 487	Tiernan.
18	Committee to visit Limerick Lawn, etc.....193, 248	Lesueur.
19	Amendment of article 14 of Constitution, (prohibition).....207, 267, 875, 903, 945, 951	Bonham.
20	Financial relief to the people.....224, 267	Cloud.

No.	Joint and Concurrent Resolutions.	Introduced by
21.	Changing time of electing members of General Assembly.....224, 267, 1615	Powers.
22	Income tax for sinking fund.....273, 295	Burrows.
23	Reduction of Legislative representation.....284, 440, 445	McDaniel.
24	Representation and apportionment.....284, 1636	Manistre.
25	To make quinine duty free.....299, 351, 1640	Collins.
26	Dividing Supreme Court into departments.....299, 1636	Dade.
27	Pay of expenses of Revision Committee.....304, 315, 333, 448, 655, 656	McDaniel.
28	Bounty to Missouri volunteers.....307, 345, 728, 832, 833, 1177, 1182, 1197	Berry.
29	Concerning burning of Insane Asylum No. 2.....325, 345	Pehle.
30	Texas Pacific Railroad bill.....325, 345, 1640	Hynes.
31	Removal of Capital...339, 350, 1186, 1198, 1218, 1228, 1266, 1267, 1268	Farr.
32	Removal of causes from State to United States courts.....348, 387, 530, 640, 654, 1190, 1207, 1232	Gwynne.
33	Revision of General Statutes.....368, 378, 381, 382, 453, 499	McIntyre.
34	Revision of Statutes according to Constitution.....368, 388, 1636	Dade.
35	Location of Lunatic Asylum No. 2.....374, 388, 467, 509, 512, 565, 568, 578, 1012	Vancleve.
36	Improvement of the Mississippi River.....381, 455, 780, 945, 1074	Carleton.
37	"Suffrages and Elections".....383, 455, 1203	Cowan of Holt..
38	Concerning foreign trade and commerce.....447, 455, 1640	Cloud.
39	Concerning formation of State of North Missouri.....479, 535, 1639	Gray.
40	Forbidding the loaning of State moneys to banks.....511, 535, 958, 1047	Bonham.
41	Concerning certain lands.....523, 574, 762, 868, 871, 952, 999, 1102	Berryman.
42	To amend sec. 6, art. 10 of Constitution.....577, 603	Manistre.
43	Instructing Attorney-General to institute proceedings against Burlington and Southwestern Railway Co.....630, 642, 1633	Craig.
...	Reception of Gen. Shields.....698, 739	Collins.
44	Concerning finances of the country.....714, 736, 1640	Organ.
45	Memorializing Congress.....738, 754, 1640	Patterson of Linn.
46	Submitting to vote an amendment to Constitution concerning Clerk of Supreme Court and Court of Appeals...840, 907, 1121	Kneisley.
47	Concerning refunding of five-twenty bonds.....907, 938, 1640	Creager.
48	Concerning a graduated price of public lands.....920, 960, 1118	Palmer.
49	Prosecution of claims against United States.....920, 960, 1025, 1131, 1170, 1426, 1433, 1621, 1634, 1635	Collins.
50	Increase of currency.....920, 960, 1640	Berry.
51	Jurisdiction of court of appeals.....1032, 1042, 1243	Dawson.
52	Concerning issue of 4 per cent. renewal State bonds...1032, 1042, 1513, 1514	Dawson.
53	Relating to adjournment <i>sine die</i>....1039, 1064, 1114, 1456, 1478, 1479, 1650	Knight.
54	Relating to H. & St. Jo. railroad.....1040, 1064, 1456, 1633	Brown.
55	Concerning decrease in legislative representation.....1040, 1064, 1121, 1217, 1616	Harrington.
57	Survey of low lands of southeast Missouri.....1052, 1064	Dawson.
58	Concerning report of committee to settle with Auditor and Treasurer.....1319, 1339, 1544, 1550, 1564	Carleton.
59	In relation to revision.....1326, 1343	Hammons.
60	To empower Governor to bring suit on bonds of State officers 1343, 1371, 1633	Dade.
61	Suspending rule on introduction of bills.....1371, 1375, 1633	Dade.
62	Adjournment <i>sine die</i>.....1398, 1456, 1478, 1479, 1650	Wells.
63	Rescinding penitentiary contract with Price & Co.....1420, 1465	Farr.
64	Settlement of Indian territory.....1487, 1507, 1640	Collins.
65	Authorizing warden of penitentiary to build hook and ladder truck.....1544, 1649	Wisby.

Resolutions.

Resolutions.	Introduced by
Election of permanent officers.....7	Wells.
Committee to wait on Speaker elect.....8	Pollock.
Senate be informed of organization of House.....12	Campbell of St. Louis.
Committee to inform Governor.....12	Campbell of St. Louis.
Rules of 29th, to govern 30th general assembly.....45	Hall.
Election of chaplain.....46	Cox.
*Opening House with prayer.....46	Dryden.
Rules of 29th assembly to govern 30th.....49	Vanceleve.
Rules of 29th to govern 30th gen. assembly and joint rules of 29th to govern both houses of 30th.....49	Campbell of St. Louis.
*Chief clerk to inform Senate that House ready to open returns of election for Supt. of schools.....49	Dayis.
Committee to report necessary employes.....49	Wells.
Printing Governor's message.....50	Carleton.
Investigation of condition of State Treasury.....52, 53	Taylor.
Heaters for hall of House.....53	McCormick of St. Louis.
Printing additional copies of Governor's message.....54	Carleton.
Retrenchment in government expenses.....54	Riley.
*Committee to inquire into cost of heating hall by steam.....54	Lackland.
Delivery of mail matter.....54	Patterson of Schuyler.
Re-enacting township organization law.....55	Burrows.
Printing rules and orders.....55	Dawson.
Ventilation of hall.....55	Waggener.
Furnishing members with statutes by Secretary of State.....55	Wells.
Printing rules of House.....59	Bryan.
Committee to revise rules.....60	Foster.
Reorganizing judicial circuits.....60	Cook.
Enlarging Committees on Agriculture, Retrenchment and Roads and Highways.....60	Burrows.
Printing asylum reports.....60	Larimore.
Distinction between St. Louis city and county.....60	Mott.
Dispensing with State and county offices.....60	Cook.
*Committee to report what committees entitled to rooms.....67	McIntyre.
Printing reports of asylums.....68	Collins.
Publishing committees with rules.....68	Lackland.
Making penitentiary self-supporting.....68	Powers.
Adding Price to Com. on Retrenchment and Reform.....68	Brown.
Aid to southwest branch and Missouri Pacific R. R's.....68, 607	Taylor.
Furniture for committee rooms.....69	Vanceleve.
*Committee clerks, etc.....69	Riley.
*Changing time when penalties attach for non-payment of taxes.....69	Alldridge.
Taxation of manufactures.....69	Burrows.
Sprinkling capitol steps and walks with sawdust.....69	Harrigan.
Branch penitentiary.....70	Maynard.
Leakage of water into capitol.....70	Mott.
Reorganizing judicial circuits.....75	Spring.
To add Burrows to Committee on Agriculture.....75	Knight.
That four of House Revision Committee be farmers.....75	Patterson of Linn.

Resolutions.	Introduced by
Printing asylum report.....	76 Riley.
Use of hall for horticultural society.....	76 Mudd
To add Hynes to Committee on Mines and Mining.....	82 of St. Louis.
Printing asylum reports.....	82 Bowman.
To add Dade to Committee on Ways and Means.....	82 Saunders.
To add Harrigan to Committee on Blind Asylum.....	82 McKinney.
To add Dougherty to Committee on Benevolent and Scientific Institutions.....	82 Cock.
To add Campbell of St. Louis to Committee on Deaf and Dumb Asylum.....	82 Cook.
To add Lynn to Committee on Deaf and Dumb and Lunatic Asylums.....	82 Collins.
To add Mott to Committee on Treasury Investigation.....	109 Larimore.
To add Swank to Committee on Agriculture.....	110 Waggener.
Use of hall for Greenbackers.....	111 Diercks.
Visiting Committees.....	111, 120, 121, 122, 123 Burrows.
Reduction of salaries.....	111 Patterson
Translating and printing Governor's message in German.....	111 of Linn.
Township organization.....	112 Powers.
To add Cowan of Holt to Committee on Federal Relations.....	112 Diercks.
To add Carroll to Committee on Militia.....	112 Hammons.
Committee clerks.....	113, 125, 131, 133, 134, 135 Collins.
Condolence to Mr. Mackey.....	116 Foster.
To add Mudd of Lincoln to Committee on Agriculture.....	116 Anderson.
Abolishing State Board of Equalization.....	116 McDaniel.
Removal of Heater.....	117 Cowan of Christian.
To add Powers to Committee on Accounts.....	117 Hammons.
Employes under Doorkeeper.....	117 Larimore.
Visiting committees (substitute).....	120 Vancleve.
Visiting committees (substitute).....	122, 123 Hynes.
Visiting committees (amendment).....	122 Organ.
Printing reports.....	123 Davis.
School fund in St. Louis.....	123 Settles.
Doorkeeper instructed on seating audience to hear Senator Vest's speech.....	128 Farr.
Inquiry into working convicts in penitentiary.....	129 Taylor.
House employes.....	136 Berryman.
Casting up vote of two Houses for Senators.....	136 Powers.
Death of Representative Long.....	138 Anderson.
Cleaning the hall.....	139 Wells.
Increase of Committee on Township Organization.....	140 Carleton.
Committee clerks.....	146 Maynard.
Return of chairs to desks.....	149 Burrows.
Adjournment to have carpet cleaned.....	150 McIntyre.
Committee to superintend cleaning.....	150 Farr.
Reports of public institutions.....	150 Maynard.
To add Swank to Committee on Swamp Lands.....	150 Cock.
Cleaning basement of capitol.....	157 Wells.
Carpets for Chief Clerk's rooms.....	157 Carleton.
Cleaning the hall.....	167 Price.
To tear down enclosed passage to privy.....	167 Cox.
Removal of siding to passage.....	167 Maynard.
Thanks to Maynard, Gray and Cloud.....	169 Gray.
Addition to Fulton Lunatic Asylum.....	169 Brown.
Committee to visit Limerick Lawn.....	170 Pepper.
Lightning rods on capitol.....	170 Larimore.
Criminal costs resulting from sale of liquor.....	170 Lesueur.
Prohibition of manufacture and importation of spirituous liquors.....	171 Patterson
Increase of Committee on Judicial Circuits.....	171 of Schuyler.
Railroad indebtedness of counties and townships.....	184 Knight.
Bill No. 3 (Dog law).....	185 Knight.
Noise by the Folder and entrance door.....	185 Spring.
Expense of visiting State institutions.....	194 Bohannon.
	194 Greer.
	194 Powers.
	194 Arnold,

Resolutions.	Introduced by.
Development of mineral wealth.....	194 Bowman.
Additional rule.....	195 Organ.
Reorganizing judicial circuits.....	195 Booth.
Committee on sale of liquors.....	196 Ronham.
Clerk for Committee on Internal Improvements.....	202 Wisby.
Rooms for Committees.....	203 Farr.
Contingent expenses of State officers.....	203 Palmer.
Expenses of State officers and institutions.....	203 Lockhart.
Committee to select asylum site.....	204 Mahn.
School tax book.....	204 Morrison.
Pay for transcribing testimony.....	205 Maynard.
Manner of voting at elections.....	205 Kneisley.
Rooms for Committees.....	206 Louthan.
Notice of Committee meetings.....	206 Finks.
Charges against Doorkeeper.....	221 Bryan.
Location of Insane Asylum.....	222 Dilley.
Printing Blind Asylum report.....	222 McCormick of St. Louis.
Instruction to Judiciary Committee.....	222 Bashaw.
Instruction to Committee on Education.....	223 Morrison.
Insane Asylum No. 2.....	232 Riley.
Investigation of charges against Doorkeeper.....	232 Bryan.
Notice of amendment to rules.....	236 Powers.
Joint Committee to locate Lunatic Asylum No. 2.....	243 Lesueur.
Room for Committee on Township Organization.....	252 Rawlings.
Clerk for Committee on Claims.....	252 Wells.
To print joint resolution No. 14.....	261 McIntyre.
Impeachment of Treasurer.....	268, 445, 631, 708, 971 Manistree.
Recommending treatise on hog cholera and cattle disease.....	262 Committee on Agriculture.
Supreme Court commission.....	272 Waggener.
Substituting Brady on Deaf and Dumb Asylum Visiting Committee.....	273 Collins.
Expenses of Treasury Investigating Committee.....	273 Taylor.
Exonerating Doorkeeper.....	276 Cowan.
Remains of Hon. J. S. Long.....	280 Cox.
Room for Committee on Engrossed Bills.....	283 Campbell.
Committee on Immigration.....	283 Ragan.
Clerk for Committee on Justices of Peace and Constables.....	284 Pollock.
Amendment to joint titles.....	293 Campbell of St. Louis.
Consideration of bills on third reading.....	296 Bryan.
Clerk for Committee on inquiry into county and township indebted- ness to railroads.....	296 Collins.
Pay of capitol carpenter.....	296 Warren.
Repairs to door of hall.....	296 Smith of Cedar.
Conditions for appropriation to State University.....	296 Miles.
Accounts of Lunatic Asylum No. 2.....	304 Riley.
Expense of investigating charges against Doorkeeper.....	307 Bryan.
Employment of Janitor for committees.....	307 Drum.
To add Reynolds to Committee on Blind Asylum.....	318 McCormick of St. Louis.
To print Senate bill No. 207.....	318 Mackey.
Expenses of Treasury Investigating Committee.....	318 Taylor.
Committee clerks.....	329 Organ.
Amending rules.....	345 Arnold.
Amending rules.....	345 Burford.
Instructing Judiciary Committee.....	347, 4 9 Collins.
Amending rules.....	355 Powers.
Rate of interest.....	355 Bryan.
Use of hall for woman suffragists.....	356 Mudd of St. Louis.
To print Dade's joint resolution on revision.....	372 Alldridge.
Hour of opening sessions of House.....	374 Price.
To dispense with committee clerks.....	374 Patterson of Linn.
Substitute for resolution on committee clerks.....	375 Cock.
Concerning committee clerks.....	376, 379, 384, 400 Bonham.

Resolutions.	Introduced by
Secretary of State to furnish members with copies of Wagner's Statutes.....	Dawson.
Lands donated for Iron Mountain Railroad.....	Berryman.
Location of Lunatic Asylum No. 2.....	Mahn.
Washington's Birthday.....	Patterson of Linn.
Explanatory of revision.....	Belch.
Apportioning clerks of committees.....	Anderson.
To discharge all committee clerks.....	Davis.
Endorsing ruling of Speaker on Knight resolutions.....	Price.
That the School Superintendent furnish the House with certain information concerning State normal schools.....	Burford.
That prohibition ought to be submitted to a vote of the people.....	Arnold.
Authorizing Warden of Penitentiary to contract with Missouri Pacific railroad for employment of 500 convicts, etc.....	Younger.
Calling for report on normal schools.....	Burford.
Substitute for resolution to impeach State Treasurer.....	Wiley.
To print testimony of treasury investigation.....	Davis.
To print Adjutant-General's report.....	Vancleve.
Concerning the hour of meeting of the House.....	Cox.
House to meet at 9 A. M. and hold one session a day.....	Wells.
To print 2,500 copies of report of committee on treasury investigation.....	Tiernan.
Granting use of Hall to J. McGuire.....	Hall.
Granting use of Hall to farmer members for meetings.....	Knight.
Instructing Ways and Means Committee.....	Dawson.
Calling on Warden to make report on Penitentiary.....	Belch.
Authorizing Enrolling Committee to rent room.....	Freed.
Concerning effect of convict labor on mechanic industry.....	Manistre.
To rescind resolution requiring Secretary of State to furnish members with copies of Wagner's Statutes.....	McIntyre.
Calling on Auditor for financial statement.....	Ewing.
Calling on fund commissioners for information as to bonds.....	Maynard.
Appointment of committee to ascertain fees of certain officers.....	McCormick of St. Louis.
Calling on School Superintendent for information as to teachers in State University.....	Lockhart.
Requesting Paul Schweitzer to lecture on petroleum.....	Mudd of St. Louis.
Giving use of Hall to B. Gratz Brown and J. B. Merwin.....	Collins.
Giving use of Hall to S. D. Carpenter.....	Chenoweth.
Giving use of Hall to W. D. Kerr for exhibition by pupils of Deaf and Dumb Asylum.....	Riley.
To supply deficiency in number of chairs.....	Dilley.
Indebtedness of State University.....	Cock.
To take up old matting.....	Brady.
To print additional copies of treasury committee's report.....	Mott.
Report of treasury investigation committee made special order.....	Gwynne.
Secretary of State instructed to furnish Revision Committee with certain books.....	McDaniel.
Instructing doorkeeper to discharge all but one wood carrier.....	Patterson of Linn.
Amending rules.....	Mott.
Appointment of visiting committee on locating Asylum No 2.....	Wells.
Sense of House on plan of revision (substitute).....	Bashaw.
To print bills in pamphlet form.....	Wells.
Concerning granting use of Hall.....	Chenoweth.
Amending rules.....	Taylor.
To expunge certain lines in treasury investigation report.....	Ragan.
Declaring Official Reporter's office vacant.....	Pehle.
Barring a reporter from floor of House.....	McCormick of St. Louis.
Amending rules of House.....	Foster.
Amending rules of House.....	Cox.
Substitute in regard to printing bills.....	
Granting use of Hall for temperance addresses.....	Bryan.
Declaring office of Official Reporter vacant.....	Pehle.

Resolutions.	Introduced by
To pay Shockley for stoves.....	690 Wiley.
Concerning articles of impeachment of Treasurer.....	690 Knight.
Visiting committee to locate Asylum No. 2.....	707 Patterson of Linn.
Instructing Board of Managers of Lunatic Asylums.....	707 Riley.
Substitute for same.....	708 Mudd of St. Louis.
Asylum visiting committee, architect.....	710 Rawlings.
No new bills after April 3.....	710 Cox.
Death of Judge Miller.....	722 Belch.
Concerning assessments (inquiry of Auditor).....	725 Waggener.
Firing salute to hero of Mexican war.....	746 Price.
Instructing Committee on Constitutional Amendments.....	748 Bonham.
That revised bills be preferred in work of House.....	748 Turner.
To devote certain time to revised bills exclusively.....	748 Burrows.
Limiting salaries and fees of officers.....	749 Dale.
Revision to be done regardless of compensation of members.....	749 Harrington.
That House hold evening sessions.....	773 Brown.
Amending rules of House.....	778, 842 Gwynne.
Concerning payment of war claims against State.....	897 Bonham.
Concerning introduction of new bills.....	811 Price.
Concerning the Warden of the Penitentiary.....	841, 872 Bonham.
Revenue fund at time of failure of Mastin Bank (inquiry of Auditor).....	842 Dawson.
To pay Carter & Regan for copies of Tribune.....	890 McIntyre.
Articles of impeachment of Treasurer.....	891, 971, 1045, 1067 Wiley.
Impeachment of Treasurer.....	898 Taylor.
Granting use of Hall to Mrs. Parry.....	904 Craig.
Concerning delinquent taxes under act of April 12, 1877.....	940 McKill.
Concerning deposit of State money in banks by Treasurer.....	958 Bonham.
That House meet in Committee of Whole to decide on location of Asylum No. 2, April 15, evening.....	971 Lesueur.
Concerning receipts of revenue from March 1, 1867, to March 1, 1875, etc.....	985 Dawson.
Requesting Senate to return Senate bill No. 151.....	1008 Gwynne.
Concerning printing of testimony in relation to fees.....	1017 Hall.
Concerning reports of Joint Revision Committee.....	1026 Lockhart.
Concerning appointment of Farr as acting Speaker <i>pro tem.</i>	1026 Arnold.
Committee to inquire into acts of H. & St. Jo. R. R.....	1038, 1328 Dade.
Pay of carpenter.....	1038 Ragan.
Concerning same.....	1061 Price.
Concerning same.....	1070 Patterson of Linn.
Use of Hall to B. Mitchell.....	1091 Brady.
Concerning committee rooms and employes of House.....	1094, 1117 Cook.
To pay Carter & Regan for Tribune.....	1094 Cook.
Requesting Patterson of Linn to withdraw resignation.....	1096 Cloud.
Amendment to rules.....	1111, 1117 Harrington.
Election of Speaker <i>pro tem.</i> in place of R. A. Campbell, sick.....	1117 Hayes.
Concerning absentees in official report.....	1118 Hynes.
Renovating carpet on hall floor.....	1124 Price.
Concerning engrossing clerk.....	1140 Haynes.
Concerning same.....	1140 Cowan of Holt.
Senate requested to return House bill 491.....	1164 Taylor.
Concerning absentees and their pay.....	1166 Lockhart.
Concerning same and the official report.....	1166 Haynes.
Expense of treasury investigation.....	1173 Taylor.
Fixing the hour of meeting.....	1190, 1224 Warren.
Use of Hall for H. C. Dean.....	1191 Gray.
To allow obligation of St. Louis committee.....	1201 McCormick of St. Louis.
No called session necessary to complete revision.....	1205 Powers.
Retention of clerk of St. Louis Delegation.....	1241 Foster.
Conference with Senate on fee bills.....	1244 Cowan of Holt.
Concerning correction by Senate of engrossment of substitute for Senate bills Nos. 86 and 207.....	1300 Farr.
Granting use of hall to Greenback convention.....	1309 Knight.

Resolutions.	Introduced by
Concerning consideration of revised bills.....	1309 Cowan of Holt.
To dispense with Chaplain.....	1310 Burford.
Correction of substitute for Senate bills Nos. 86 and 207.....	1314 Davis.
Convicts to clean up capitol.....	1326 Bryan.
That Chaplain receive \$1 per day after May 7.....	1374 Boulware.
Use of hall for Superintendent of Schools.....	1374 Farr.
Auditor and Treasurer to submit separate statements regarding condition of State Treasury.....	1379 Vancleve.
Concerning revised bills.....	1420 Davis.
That House insist on amendments to Senate bill No. 194.....	1445 Davis.
Instructing committees to report bills.....	1456 Wells.
To pay assistant messenger for carrying mail.....	1492 Ragan.
Concerning management of penitentiary.....	1522 Bonham.
Concerning chairman of committee on enrolled bills.....	1523 Bryan.
Employment of convicts on capitol grounds.....	1523 Farr.
Requesting Senate to return sub. No. 1 for Senate bill No. 75.....	1527 Wells.
Concerning substitute for Senate bill No. 87.....	1556 Campbell of Athison.
Concerning street railroads.....	1625 Dryden.
That E. P. Johnson be allowed for expenses of contest.....	1630 Hall.
Pay of clerk on accounts.....	1633 Wisby.
Requesting Governor to return bill No. 119.....	1637 Cowan of Holt.
Thanks of House to Speaker.....	1639 Cox.
Thanks of House to Speaker <i>pro tem</i>	1639 Cowan of Holt.
Thanks to Chief Clerk, Assistant Chief Clerk, Sergeant-at-Arms, Door-keeper and other officers.....	1639 Taylor.
Thanks to House Postmaster.....	1639 Davis.
Thanks to Chief Clerk.....	1641 Cox.
Thanks to minute, docket and journal clerks.....	1642 Wells.
Thanks to pages.....	1642 Cowan of Holt.
Thanks to people of Jefferson City.....	1642 Price.
Thanks to Official Reporter.....	1642 Crowther.
Thanks to revision committee.....	1642 Riley.
Thanks to representatives of the press.....	1643 Taylor.
Thanks to night-watch, sweeper and other attendants.....	1643 Cook.
Thanks to engrossing clerk, enrolling clerk and clerk on accounts.....	1643 Bashaw.
Pay of clerical force of Chief Clerk.....	1644 Cox.
Committee to inform Governor of time of adjournment.....	1645 Riley.
House declared adjourned <i>sine die</i>	1650 Speaker.

Petitions, Memorials and Remonstrances.

Petitions, Memorials and Remonstrances.	Presented by
Citizens St. Charles county in relation to costs in criminal cases.....	55 Lackland.
Citizens of Lafayette county in relation to salaries of county officers.....	55 Collins.
Of Cass county for prohibition.....	61 Spring.
Of James C. Moody.....	70 Pollock.
Of Hannibal Medical Society.....	70 Anderson.
In relation to dramshop license.....	82 Bryan.
To Congress on tobacco.....	82 Burrows.
In regard to domestic animals.....	123 McKinney.
In regard to salaries.....	123 Ewing.
In regard to salaries.....	123 Collins.
Bureau of labor statistics.....	157 Hall.

Petitions, Memorials and Remonstrances.	Presented by
Salaries of county officers.....	158 Collins.
On prohibition.....	185 Warren.
Manufacture and sale of liquors.....	196 Bonham.
Reduction of salaries.....	196 Collins.
Qualifications of county superintendents.....	207 Chilton.
Salaries of county officers.....	223 Collins.
Salaries of State and county officers.....	223 Mudd of
Locating lunatic asylum.....	223 Lincoln.
Tax payers of Kirkwood against disincorporation.....	223 Anderson.
Citizens of Kirkwood for disincorporation.....	223 Mudd of
For township organization.....	223 St. Louis.
Against barbed wire fence.....	236 Mudd of
For bureau of labor statistics.....	243 St. Louis.
Relating to school law.....	243 Ballew.
For reduction of salaries of State and county officers.....	243 Moler.
In regard to locating insane asylum.....	243 Hall.
For prohibition.....	252 Lackland.
Praying passage of marriage license law.....	252 Gray.
Praying passage of prohibition law.....	252 Arnold.
For prohibition of hunting in Osage county by others than citizens of that county.....	252 Cock.
Praying repeal of law prohibiting sale of liquors in vicinity of State University.....	252 McIntyre.
In relation to marriage licenses.....	252 Gray.
In relation to stock breeders.....	273 Diercks.
On manufacture and sale of intoxicating drinks.....	273 Kneisley.
For relief laws.....	273 Lockhart.
For reduction salaries State and county officers.....	273 Bonham.
For township law.....	273 Collins.
In relation to stallions, jacks and bulls.....	273 Knight.
For law to prevent hogs from running at large.....	284 Dougherty.
For law prohibiting licensing of gambling houses.....	284 Ellis.
For prohibition.....	284 Dougherty.
On manufacture and sale of intoxicating liquors.....	284 Bonham.
On transferring Supreme Court to St. Louis.....	284 Crowther.
Concerning St. Louis board of public schools.....	297 Cowan of Holt.
On prohibition.....	297 McElvain.
For memorializing Congress—dredging rivers.....	297 Campbell of
For township law.....	297 St. Louis.
To abolish certain offices and institutions of learning.....	360 Foster.
On licensing gaming houses.....	319 Chilton.
Concerning swamp lands.....	319 Crowther.
On transferring Supreme Court to St. Louis.....	319 Patterson of
On woman suffrage.....	319 Linn.
On mutual benevolent societies.....	319 Wiley.
Concerning strays.....	319 Ingram.
For prohibition.....	325 Cloud.
Concerning appointment of police commissioners of St. Louis.....	333 Campbell of
Concerning evils of alcoholic liquors as a beverage.....	339 St. Louis.
Praying prohibition.....	339 Mudd of St.
Praying prohibition.....	339 Louis.
Concerning gambling houses, etc.....	347 Foster.
For township law.....	347 Younger.
For marriage license law.....	356 Collins.
For disincorporation of Kirkwood.....	356 Dryden.
Concerning manufacture of intoxicating drinks.....	356 Dade.
For amendment of school laws.....	360 Dade.
Praying changes in school law.....	360 McElvain.
	360 Tiernan.
	360 Pehle.
	360 Chilton.
	360 Mudd
	of St. Louis.
	McElvain.
	Ingram.

Petitions, Memorials and Remonstrances.	Presented by
Concerning hogs and sheep running at large.....	368 Lackland.
Concerning fishing in Missouri river.....	368 Saunders.
On prohibition.....	368 Saunders.
Against passage of interest bill.....	372 Pollard.
On prohibition.....	373 Lynn.
For stock law.....	374 Ellis.
On prohibition.....	374 Farr.
For law regulating sale of liquor in towns and cities where State educational institutions are located.....	374 Bowman.
For reduction of salaries of county officers.....	374 Maynard.
For township law.....	381 Ellis.
Praying passage of marriage license law.....	381 Pepper.
On reduction of salaries of State and county officers.....	382 Freed.
Protesting against fish law.....	382 Speaker.
Concerning manufacture of liquor.....	382 Knight.
On prohibition.....	382 Harrington.
For township law.....	383 Cloud.
Concerning sale of intoxicating liquors by druggists.....	383 Gwynne.
On prohibition.....	383 Warren.
Praying reduction of interest.....	398 Withers.
On prohibition.....	398 Ragan.
On prohibition.....	398 Carleton.
For township organization.....	398 Spring.
For law to restrain breachy stock.....	399 Cloud.
Concerning work-houses in each county.....	414 Moler.
On prohibition.....	414 Burford.
For township organization.....	414 Spring.
For prohibition.....	436 Riley.
For township organization.....	436 Knight.
For prohibition.....	436 Lynn.
For law prohibiting manufacture and sale of intoxicating drinks.....	436 Warren.
From M. Heller of St. Louis.....	436 Foster.
From Memphis Lodge, I. O. G. T.....	436 Lynn.
For township organization.....	436 Ellis.
For prohibition.....	442 Davis.
Praying passage of bill for regulating sale of liquors by druggists.....	441 Lynn.
For prohibiting stock from running at large.....	444 Anderson.
For prohibition.....	445 Carleton.
For law reducing rate of interest.....	451 Withers.
For prohibition.....	451 Mackey.
Concerning repeal of charter of Kirkwood.....	451 Campbell of St. Louis.
For prohibition.....	452 Warren.
For prohibition.....	452 McElvain.
For prohibition.....	465 Bonham.
For prohibition.....	465 Warren.
For township organization.....	465 Bonham.
For prohibition.....	465 McKinney.
For prohibition.....	466 McElvain.
For prohibition.....	477 Wiley.
For law prohibiting manufacture and sale of intoxicating liquors.....	477 Rawlings.
For prohibition (3).....	477 Warren.
For prohibition.....	477 Davis.
For repeal of law permitting barbed wire fences.....	477 Davis.
For prohibition.....	477 Burford.
Concerning sale of intoxicating drinks.....	477 Crow.
For repeal of liquor laws.....	491 Andrews.
For prohibition.....	491 Moler.
For prohibition.....	491 Warren.
For prohibition.....	491 Carleton.
For prohibition.....	491 Warren.
For prohibition.....	491 Miles.

Petitions, Memorials and Remonstrances.	Presented by
For prohibition, (citizens of St. Louis, Callaway, Pemiscot, Shelby, Audrain, Clay, Sullivan and Pike).....	521 Warren.
For prohibition.....	521 Smith of St. Louis.
Concerning killing of wild geese.....	521 Collins.
For prohibition.....	521 Talbot.
For township organization.....	522 Ellis.
Concerning marriage law.....	522 Cook.
For prohibition.....	544 Anderson.
For township law.....	544 Ballew.
For repeal of act incorporating Rolla.....	544 Bowman.
For prohibition.....	544 Dougherty.
For prohibition.....	545 Campbell of Atchison.
For prohibition.....	545 Carleton.
For prohibition.....	552 Alldridge.
For prohibition.....	553 Brown.
For prohibition.....	553 McKinney.
For prohibition.....	553 Farr.
In relation to school text books.....	553 Pollard.
For prohibition.....	570 Organ.
For prohibition.....	570 Davis.
Against repeal of charter of Rolla.....	570 Bowman.
For prohibition.....	570 Cloud.
For a law prohibiting manufacture and sale of intoxicating drinks.....	570 Rawlings.
For prohibition.....	570 Hale.
For township organization.....	570 Andrews.
For prohibition.....	577 Cock.
Relating to education.....	577 Cowan of Holt.
Against grain warehouse law.....	598 Tiernan.
On sale of liquor by druggists.....	599 Knight.
For local option law.....	600 Alldridge.
For prohibition.....	600 Hale.
For prohibition.....	629 Larimore.
For prohibition.....	643 Bonham.
Against repeal of charter of Rolla.....	643 Bonham.
For prohibition.....	643 McKinney.
For prohibition.....	644 Chenoweth.
For township organization.....	644 Powell.
For prohibition.....	644 Arnold.
Against law compelling foreign insurance companies to make deposit.....	644 Gwynne.
Against law compelling foreign insurance companies to make deposit.....	644 McIntyre.
Against law compelling foreign insurance companies to make deposit.....	644 Wisby.
In relation to legal rate of interest.....	663 Adams.
Against licensing gambling.....	663 McGarry.
Against bill requiring foreign insurance companies to make deposits.....	676 Gwynne.
Against same.....	676 Chilton.
Against same.....	676 Weygandt.
Against same.....	677 Booth.
Against same.....	678 Mott.
Against same.....	678 Saunders.
On reduction of salaries.....	679 Knight.
In relation to interest and reduction of salaries.....	679 Cook.
Against foreign insurance deposit.....	682 Vancleve.
Against same.....	690 Knight.
In relation to sale of intoxicating drinks.....	691 Hall.
Praying passage of law prohibiting licensing gambling houses.....	691 Harrigan.
Praying same.....	691 McGarry.
For township law.....	691 Cloud.
Against bill requiring foreign insurance companies to make deposit.....	691 Settles.

Petitions, Memorials and Remonstrances.	Presented by
Against requiring foreign insurance companies to make deposits...694	Dade.
For prohibition.....694	Powell.
Against bill regulating barbed wire fence.....713	Adams.
Against bill requiring foreign insurance companies to make deposit .....714	Crowther.
For modification of revenue law.....714	Waggener.
Against bill regulating barbed wire fences.....714	Campbell of Atchison.
For township organization.....714	Burrows.
Against bill prohibiting swine from running at large.....714	Cloud.
For extending railroad charters.....714	Campbell of Atchison.
For passage of bill prohibiting licensing of gambling houses, etc .....715	Mott.
Against bill requiring foreign insurance companies to make deposits.....725	Mott.
Against same.....725	Anderson.
For modification of revenue law.....725	Waggener.
For prohibition.....726	Bonham.
For prohibition.....726	Helm.
For township organization.....738	Patterson of Linn.
For modification of revenue law.....752	Taylor.
For abolishing office of railroad commissioner.....760	Vanceve.
Concerning fees of collector of Jackson county.....811	Ragan.
For prohibition.....825	Dade.
Concerning pensions for Mexican veteran soldiers.....840	Lesueur.
Concerning the granting of illegal dramshop license. ....851	McCormick of St. Louis city.
For repeal of St. Louis street railroad law of 1860.....870	McGarry.
For same.....870	Mott.
For same.....870	Dryden.
For same.....870	Manistre.
For prohibition (from St. Louis M. E. C. conference).....870	Kendall.
Against repeal of St. Louis street railroad law of 1860.....871	Louthan.
For prohibition.....871	Turner.
Against employment of convict labor outside of peniten- tiary.....885	Lesueur.
Against legislation interfering with contracts for convict labor out- side Cole county.....885	Tevis.
For removal of convicts from Johnson county.....887	Tevis.
For amendment to school law, etc.....888	Pepper.
For repeal of St. Louis street railway law of 1860.....889	Mott.
Praying act creating Sturgeon common pleas court may become a law.....889	Wiley.
For confining convicts within prison walls.....889	Tevis.
For abolition of grand jury system.....890	Maynard.
Against working convicts outside penitentiary.....891	Belch.
For repeal of St. Louis street railway law of 1860.....907	Dryden.
For repeal of St. Louis street railway law of 1860.....907	Hall.
For removal of convicts from Johnson county.....940	Farr.
Praying Legislature not to prevent working convicts outside of Cole county.....940	Farr.
For submission of question of prohibition to vote of people, and for law to restrain sale of liquor by druggists.....940	Cook.
For prohibition.....940	Brown.
In favor of prohibition.....958	Farr.
For prohibition.....958	Whitaker.
For township organization.....958	Lockhart.
For repeal of St. Louis street railway law of 1860.....985	Mott.
For repeal of St. Louis street railroad law of 1860.....999	Manistre.
For law to permit legal sales in St. Louis to be made at real estate exchange.....1000	Foster.
Against alteration of stock law.....1012	Mudd of St. Louis.
For extending time of railroad charters.....1037	Ellis.
For extending time of railroad charters.....1038	Harrington.

Petitions, Memorials and Remonstrances.	Presented by
For extending time of railroad charters.....1038	Harrington.
For extending time of railroad charters.....1038	Craig.
Against extending time of railroad charters.....1038	Craig.
For extending time of railroad charters.....1038	Knight.
For extending time of railroad charters.....1038	Lockhart.
For renewal of charter of I. M. & P. R.R. and other roads .....1038	Craig.
For extending the time for completion of railroads.....1043	Louthan.
For reimbursement of J. G. McClaren, etc.....1060	Mabrey.
For extending time for completion of railroads.....1060	McKinney.
For same.....1061	Lockhart.
In relation to the limits of Pleasant Hill.....1061	Spring.
For extending time of railroad charters.....1061	Cowan of Holt.
For extending time of railroad charters.....1061	Knight.
For prohibition.....1096	Campbell
	of Atchison.
For repeal of St. Louis street railway law of 1860.....1096	Manistre.
For extension of time to Q. M. & P. R. R. Co.....1096	Hubbard.
For amendment of stock law.....1173	Mott.
Praying amendment of stock law.....1173	Manistre.
Concerning sale of intoxicating liquors.....1224	Cowan
	of Christian.
Against bill appointing commissioner on school books.....1242	Dale.
For law to permit sales of real estate at real estate exchange, St. Louis.....1242	Mott.
Concerning defeat of labor bureau bill.....1248	Taylor.
Against "bell-punch" bill.....1310	Pehle.
Against "bell-punch" bill.....1421	Lesueur.

Reports, Communications and Messages.

Communication from Secretary of State transmitting list of members elect...	3
Messages from Senate—13, 56, 74, 123, 156, 170, 194, 218, 227, 239, 289, 299, 333, 346, 347, 354, 372, 373, 388, 404, 418, 453, 473, 482, 499, 542, 550, 568, 571, 579, 583, 600, 627, 630, 631, 641, 664, 671, 686, 690, 700, 701, 724, 739, 743, 746, 756, 763, 771, 781, 785, 787, 834, 842, 860, 866, 873, 874, 885, 899, 913, 922, 932, 936, 992, 1017, 1013, 1021, 1064, 1071, 1079, 1081, 1095, 1119, 1128, 1134, 1136, 1146, 1189, 1193, 1197, 1199, 1231, 1232, 1234, 1241, 1253, 1263, 1265, 1266, 1284, 1351, 1356, 1358, 1364, 1369, 1379, 1381, 1382, 1385, 1391, 1404, 1425, 1453, 1466, 1478, 1487, 1491, 1497, 1507, 1514, 1515, 1525, 1530, 1538, 1540, 1549, 1550, 1557, 1560, 1584, 1592, 1600, 1603, 1611, 1613, 1626, 1632, 1640, 1648,	1649
Governor's annual message.....	14
Report of Committee on Employes of House—Wells.....	57
Report of Commissioner of Deaf and Dumb Asylum—Larimore.....	58

REPORTS, MESSAGES, ETC.—CONTINUED.

Report of Lunatic Asylum, No. 2—Saunders.....	59
Report of Lincoln Institute—Speaker.....	59
Report of Kirksville Normal School—Speaker.....	59
Announcement of standing committees—Speaker.....	64
Report of committee to settle with Auditor and Treasurer—Dade.....	68
Report of Treasurer—Speaker.....	73
Report of Inspectors of Penitentiary—Speaker.....	74
Report of Cape Girardeau Normal School—Speaker.....	74
Report of Warrensburg Normal School—Speaker.....	74
Report of School Superintendent—Speaker.....	74
Papers in contest of Johnson vs. Dryden—Speaker.....	74
Papers in contest of Bowman vs. Strawhim—Speaker.....	74
Committee to investigate affairs of Treasurer.....	74
Report of Board of Immigration—Dryden.....	82
Report on Capitol roof—Cox.....	83
Special messages from Governor—84, 131, 139, 174, 183, 204, 255, 399, 499, 529, 557, 594, 640, 683, 740, 774, 824, 840, 885, 1000, 1039, 1102, 1126, 1153, 1182, 1231, 1277, 1331, 1353, 1375, 1425, 1441, 1475, 1493, 1535, 1574, 1592, 1621, 1623, 1636,	1638
Report of Committee on Rules—Foster.....	85
Report of Committee on Deaf and Dumb and Lunatic Asylum—Riley.....	114
Reports from Committee on Ways and Means—Davis—119, 125, 131, 136, 158, 208, 209, 210, 237, 238, 244, 263, 328, 329, 330, 418, 439, 469, 590, 530, 572, 637, 663, 681, 770, 796, 823, 825, 843, 844, 883, 925, 947, 1016, 1017, 1128, 1129, 1159, 1187, 1224, 1227, 1245, 1311, 1316, 1482, 1485, 1486, 1568, 1585, 1611, 1644,	1647
Report of number of children in St. Louis public schools—Farr.....	124, 235, 276
Reports from Committee on Judiciary—McIntyre—84, 124, 135, 144, 154, 226, 238, 262, 286, 287, 332, 378, 408, 409, 410, 450, 460, 467, 468, 469, 470, 480, 481, 506, 531, 566, 580, 581, 582, 635, 636, 670, 680, 681, 766, 825, 949, 950, 1307, 1324, 1421, 1448, 1456, 1457, 1458, 1492, 1493, 1494, 1495, 1523, 1528, 1535, 1553, 1566, 1598, 1614, 1615, 1633,	1641
Communication from Doorkeeper—Speaker.....	128
Report from Committee on Local Bills—Ragan.....	130, 293, 789, 932, 1006
Reports from Committee on Federal Relations—Collins—130, 266, 257, 275, 332, 394, 472, 530, 514, 728, 762, 780, 1025, 1106, 1118, 1380, 1500,	1640
Reports from Committee on Internal Improvements—Wisby—133, 261, 402, 607, 917, 918, 934, 981, 1054, 1055, 1110, 1175, 1507,	1629
Reports from Committee on Retrenchment and Reform—Anderson—113, 131, 136, 144, 154, 176, 208, 213, 215, 227, 262, 335, 400, 466, 512, 636, 772, 780, 809, 846, 910, 1485,	1632
Reports from Committee on Roads and Highways—Tevis—144, 158, 177, 178, 237, 244, 258, 308, 326, 328, 513, 573, 890, 1070, 1018, 1025,	1473
Reports from Special Committee on Revision—McDaniels.....	145, 364
Reports from Committee on Education—Farr—153, 171, 202, 245, 256, 438, 439, 638, 1009, 1127, 1173, 1460, 1527,	1621
Reports from Committee on Engrossed Bills—Haynes—167, 181, 182, 251, 258, 259, 290, 291, 292, 806, 338, 349, 372, 381, 405, 406, 407, 447, 448, 449, 450, 523, 524, 525, 526, 640, 669, 693, 694, 729, 750, 751, 793, 832, 838, 839, 858, 859, 862, 868, 869, 880, 888, 1037, 1093, 1102, 1103, 1131, 1132, 1141, 1142, 1164, 1165, 1185, 1186, 1202, 1203, 1216, 1217, 1228, 1229, 1243, 1249, 1270, 1287, 1311, 1333, 1386, 1392, 1407, 1408, 1446, 1501, 1503, 1527,	1564
Reports from Committee on Agriculture—Moler—177, 178, 201, 208, 211, 212, 216, 237, 257, 262, 287, 334, 340, 349, 390, 526, 645, 663, 744, 761, 916, 925, 940, 1023, 1024, 1085, 1174, 1462,	1628
Reports from Treasury Investigation Committee—Taylor.....	183, 203, 419
Communications from Auditor—Speaker.....	206, 250, 282, 742, 848, 1570
Reports from Committee on Criminal Jurisprudence—Hall—210, 245, 255, 256, 288, 436, 437, 480, 518, 648, 692, 699, 731, 732, 746, 839, 912, 913, 1028, 1104, 1105, 1106, 1239, 1319, 1560,	1616
Reports from Committee on Benevolent and Scientific Institutions—Holt.....	212, 572, 744, 882, 1061, 1828, 1837, 1547, 1634
Report from committee on sale of liquor near State University—Kneisely—152,	288
Reports from Committee on Swamp Lands—Carleton.....	216, 254, 781
Communications from Adjutant-General—Speaker.....	219, 240, 461
Communications from Treasurer—Speaker.....	223, 434, 1489
Communication from Register of Lands—Speaker.....	231

REPORTS, MESSAGES, ETC.—CONTINUED.

Communication from Railroad Commissioners—Speaker.....	233
Communications from School Superintendent—Speaker.....	233, 493, 497, 520, 544
Communications of Secretary of State—Speaker.....	241, 446, 502
Communications from Attorney-General—Speaker.....	240, 461
Communication from State Librarian—Speaker.....	242
Communication from Chief Justice Supreme Court—Speaker.....	242
Reports on Deaf and Dumb and Lunatic Asylums—Riley—246, 440, 446, 467, 512, 880, 1435, 1463,	1518
Report of committee to investigate the charges against the Doorkeeper— Bryan.....	276
Communication from Supreme Court—Speaker.....	298
Reports from Committee on Judiciary—Dryden.....	326, 327
Reports from Committee on Permanent Seat of Government—Cox—335, 809, 915,	1116
Reports from Committee on Banks and Corporations—Campbell of St. Louis —330, 331, 332, 338, 389, 564, 565, 1206, 1207, 1287, 1373, 1436, 1437, 1438, 1477, 1488, 1533, 1596, 1597,	1619
Report of reunion of Illinois veterans—Speaker	382
Reports from Committee on Criminal Jurisprudence—Bashaw—405, 471, 481, 646, 647, 881,	1009
Reports from Committee on Constitutional Amendments—Dryden—407, 410, 440, 514, 515, 1047, 1120, 1121, 1203, 1242, 1513, 1615,	1636
Reports from Committee on Mines and Mining—Bowman.....	411, 934, 998
Report from Committee on Blind Asylum—Davis.....	442
Report from Committee on Township Organization—Waggener.....	461
Report from Committee on Libraries—Riley.....	471
Report from Committee on Penitentiary—Leseuer.....	509, 1616
Reports from Committee on Claims—Wells—513, 517, 518, 525, 527, 571, 572, 637, 730, 731, 738, 781, 782, 1010, 1114, 1115, 1129, 1140, 1141, 1151, 1192,	1464
Reports from Committee on Elections—Bashaw—513, 682, 826, 1054, 1461, 1487, 1508, 1629, 1636,	1637
Reports from Committee on Justices of the Peace—Pollock.....	513, 514
Report from Fund Commissioners—Speaker.....	520
Reports from Committee on State University—Kneisely.....	547, 957
Reports from Committee on Enrolled Bills—Freed—260, 378, 465, 499, 500, 550, 589, 628, 647, 679, 884, 885, 961, 999, 1022, 1023, 118, 1125, 1260, 1273, 1288, 1331, 1400, 1403, 1404, 1419, 1420, 1433, 1452, 1453, 1465, 1491, 1492, 1530, 1547, 1557, 1559, 1568, 1569, 1570, 1604, 1623, 1924, 1641,	1649
Reports of Committee on Engrossed Bills—Smith of St. Louis—598, 599, 669, 939, 945, 946, 997,	998
Reports from Joint Committee on Revision—McDaniel—580, 591, 592, 603, 604, 635, 729, 730, 768, 781, 818, 819, 820, 862, 915, 928, 982, 1243, 1303,	1365
Reports from Committee on Immigration—O'Malley.....	639, 1000
Reports from Committee on Printing—Organ.....	645, 682, 1634
Report from Special Committee on expelling reporter—Dale.....	664
Report from Joint Committee on Revision—McIntyre.....	668, 674, 693, 1091, 1460
Report of committee to investigate case of official reporter—Pehle.....	679
Report from Committee on Claims—O'Malley.....	682
Report from Committee on Ways and Means—Bryan—692, 1470, 1539, 1543, 1545	1601
Report from Committee on Enrolled Bills—Dale—702, 744, 764, 810, 837, 1440, 1568, 1585,	1539
Report from Committee on Judiciary—Booth.....	308, 708, 1225
Report from Warden of Penitentiary—Lesueur.....	711
Report of committee on fees of officers on St. Louis—McCormick of St. Louis	715
Report of Committee on Ways and Means—Finks.....	720
Reports from Committee on Judiciary—Lackland—728, 731, 743, 755, 779, 783, 784, 785, 798, 799, 800, 801, 829, 849, 847, 853, 854, 876, 877, 879, 909, 910, 972, 975, 976, 977, 971, 979, 980, 997, 1008, 1086, 1087, 1088, 1089, 1091, 1097, 1139, 1152, 1158, 1217, 1257, 1268, 1274, 1275, 1283, 1314, 1315, 1332, 1338, 1346, 1347, 1348,	1565
Report from Committee on Judiciary—Gwynne.....	745, 1319, 1445, 1506
Report from Committee on Judicial Circuits—Spring.....	751
Reports from Committee on Enrolled Bills—Bohannon.....	774, 775, 776, 777
Reports from Committee on Education—Cowan of Holt.....	797, 933
Reports from Committee on Agriculture—Burrows.....	819, 846, 941
Reports from Committee on Banks and Corporations—McDaniel.....	869, 913

REPORTS, MESSAGES, ETC.—CONTINUED.

Report from Committee on County Boundaries—Bryan.....	890, 933, 1056, 1108, 1109, 1217, 1434,	1546
Report from Committee on Articles of Impeachment of State Treasurer— Wiley.....		891
Reports from St. Louis Delegation—Hall.....	911, 912,	1498
Reports from Committee on Ways and Means—Dawson.....	934, 1152, 1393, 1472,	1475
Communication from Treasurer—Dawson.....		937
Report from Committee on Judiciary—Mabrey.....		943
Report from Special Committee on location of Asylum No. 2—Cox.....		963
Reports from St. Louis Delegation—Foster.....	275, 282, 975, 999, 1018, 1098, 1101, 1110, 1179, 1180, 1182, 1183, 1184, 1614,	1615
Reports from Committee on Militia—Foster.....	1001, 1285,	1635
Reports from Committee on Engrossed Bills—Johnson.....	1006,	1007
Reports from Committee on Insurance—Louthan.....	644, 1020, 1022, 1248, 1467, 1552,	1632
Reports from Committee on Engrossed Bills—Hayes.....	216, 217, 1023, 1029, 1030, 1385,	1386
Communication from St. Louis House of Delegates—Speaker.....		1092
Communication from Patterson of Linn (resigning)—Speaker.....		1094
Minority report from St. Louis Delegation on street railroad bill—O'Malley...		1098
Report from Special Committee on bill No. 350—Ewing.....		1106
Reports from Committee on Retrenchment and Reform—Wells.....	1114,	1119
Reports from Committee on Ways and Means—Wells.....	780, 1114,	1122
Report from Special Committee on Employees—Cook.....		1132
Report from Committee on Retrenchment and Reform—Warren.....		1151
Report from Committee on Enrolled Bills—Dale.....	1176, 1177, 1185, 1207, 1242, 1310, 1440, 1568,	1585
Report from Committee on Constitutional Amendments—Wiley.....		1179
Report from Committee of Conference on Senate substitute for Senate bills Nos. 60 and 204—Davis.....		1199
Report of Conference Committee on Senate substitute No. 10 for Senate bill No. 52—Lackland.....		1212
Report of Conference Committee on Senate substitute No. 26 for Senate bill No. 52—McIntyre.....		1213
Same on Senate bill No. 59—McIntyre.....		1215
Report of Conference Committee on Senate substitute No. 7 for Senate bill No. 52—Hayes.....		1219
Same on Senate substitute for Senate bills Nos. 60 and 204—Davis.....		1221
Report from Committee on Ways and Means—Harrington.....		1228
Protest against signing Senate bill No. 251—Pepper.....		1235
Same against Senate bill No. 280—Pepper.....		1238
Report from Conference Committee on Senate substitute No. 23 for Senate bill No. 52—Booth.....		1250
Reports from Joint Committee on Revision—Anderson.....	1274,	1456
Report of Special Committee on Hannibal and St. Jo Railroad—Bryan.....		1328
Report from Special Committee on fee bills—Cowan of Holt.....		1328
Report from Committee on Banks and Corporations—Lackland.....		1352
Reports from St. Louis Delegation—Mott.....	1352,	1448
Report from Committee on Banks and Corporations—Alldridge.....		1359
Report from Conference Committee on Senate bill No. 231—Taylor.....		1367
Reports from Committee on Enrolled Bills—Powell.....	1369,	1392
Report from Committee of Conference on Senate bill No. 194—Davis.....		1427
Report from Committee of Conference on substitute for Senate bill No. 29— Dryden.....		1430
Report from Committee of Conference on substitute for Senate bills Nos. 86 and 207—Davis.....		1451
Report from Committee of Conference on bill No. 638—Booth.....		1459
Report from Special Committee on House bill No. 710—Gwynne.....		1469
Report of Committee of Conference on substitute for Senate bill No. 101— Pollard.....		1471
Report of Committee of Conference on Senate bill No. 194—Wells.....		1480
Report of Committee of Conference on bill No. 444—Lesueur.....		1483
Report from Committee on Judiciary—Wells.....		1497
Report from Committee of Conference on substitute No. 1 for Senate bill No. 90—McIntyre.....		1550
Same substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140 and 141, and in part for No. 100—Alldridge.....		1561

REPORTS, MESSAGES, ETC.—CONTINUED.

Same on substitute for House bills Nos. 153, 372, 437—Hall.....	1574
Report of Committee of Conference on substitute No. 2 for Senate bill No. 101.....	1595
Same on substitute for Senate bills Nos. 65 and 287—Wells.....	1603
Same on substitute No. 1 for Senate bill No. 52—McIntyre.....	1612
Report from Committee on Blind Asylum—McCormick of St. Louis.....	1627
Report from Committee on Elections—contest of Johnson vs. Dryden—Bashaw.....	1629
Report from Committee on Banks and Corporations—Arnold.....	1630
Report from Conference Committee on substitute for Senate bill No. 87—Louthan.....	1638
Report from Committee on unfinished business—Organ.....	1639
Report from Committee on Elections—case of Strawhim and Bowman—Bashaw.....	1637
Report from Committee to wait on Governor—Collins.....	1649
Report from Special Committee on canceling bonds—Davis.....	1649

Classified Index.

ADJUTANT-GENERAL.

No.	PAGE
421 Act to abolish office of Adjutant-General.....	384, 415, 1635
Communications from Adjutant-General.....	219, 240, 461
Resolution requesting Adjutant-General to fire salute on arrival of Gen. Shields.....	746

ADMINISTRATION.

58 Act to amend sec. 19, art. 1, chap. 2, Wag. Stat., "appointment and removal of executors and administrators".....	73, 81
200 To amend chap. 130, Gen. Stat., "estates of deceased persons,".....	187, 198
230 To amend sec. 19, chap. 120, Gen. Stat., "bonds of executors,".....	214, 220
257 Punishment of administrators, executors, etc.....	227, 265 839
475 To amend statute "settlement of accounts of executors and administrators".....	493, 534 648

ADMINISTRATION OF ESTATES—Continued.

No.	PAGE
476 To amend statute "distribution of estates".....	493, 534
570 To amend statute "settlement of accounts of executors and administrators".....	735, 753
629 Rule for computing life interest in estates.....	907, 937, 1249
676 To enforce liability of heirs, etc.....	1017, 1027

AGRICULTURE.

72 Act to regulate hedges on public highways.....	83, 115, 144, 202
79 To regulate building of barbed wire fences.....	83, 115, 212, 322
160 In relation to prevention and cure of hog cholera and Texas cattle disease.....	162, 166, 262
192 An act to better protect nursery-men.....	186, 198
260 To encourage sheep husbandry.....	225, 266
373 To encourage farmers' stock sales.....	325, 344, 349, 449, 617

AGRICULTURE.—Continued.

No.	PAGE
380 To protect owners of live stock...	
340, 349, 857, 1007, 1008, 1024,	
1164, 1240	
440 To relieve wheat and tobacco growers from improper taxation...	
441, 454	
517 In relation to nursery stock, etc...	
587, 603, 780, 869, 1033	
617 To employ convicts on agricultural farm.....	
870, 905, 957, 1030, 1073, 1078	
620 To repeal act for destruction of grasshoppers.....	
870, 906	
691 In relation to barbed wire fences..	
1040, 1062	
699 To aid State Horticultural Society, etc.....	
1040, 1063	
Sale of leaf tobacco.....	
61, 109, 130,	
182, 192, 671, 702	
Tax on leaf tobacco.....	
82, 116	
Reports from Committee on Agriculture.....	
177, 178, 201, 208, 211,	
212, 216, 237, 257, 262, 287, 334,	
340, 349, 390, 526, 645, 663, 744,	
761, 916, 925, 940, 1023, 1024,	
1085, 1174	
Petition in relation to stock breeders.....	
273	
For repeal of barbed wire fence law.....	
477	
Against bill on barbed wire fences	
713, 714	

APPROPRIATIONS.

119 For relief of Henry DeBolt.....	140,
161, 572, 694, 701, 1613, 1624,	
1625, 1637, 1638, 1639, 1653	
126 To pay J. W. Branch.....	141, 162,
682, 859, 1378	
158 For propagation of food fishes and to appropriate money therefor.	
152, 166, 390, 790, 791, 888, 993,	
994, 1176, 1197, 1131	
202 To pay J. J. C. Brazeale.....	187,
199, 730, 859, 860	
210 For relief of A. J. Adkins.....	188,
199, 730, 858, 861	
223 For support of State government, 1879 and 1880.....	202, 213, 329, 376
350 To pay revenue bonds.....	309, 342,
934, 935, 936, 986, 1001, 1007,	
1107, 1202, 1203, 1258, 1280, 1281,	
1438, 1453, 1475	
379 To pay David Voeth.....	340, 349, 518
408 To pay D. Baldrige.....	369, 387,
739, 859, 1035, 1100	
450 To rebuild Asylum No. 2.....	463, 473
480 To pay Peter J. Diercks.....	502, 535, 782
538 Relief of Julia L. Ivie.....	676, 699,
731, 858, 1058	
571 To pay for wolf-scalps.....	739, 753
584 To erect tombstone over remains of Thomas J. Howell.	760,
795, 915, 1057, 1072, 1189, 1207, 1277	
604 To appropriate money out of certain funds.....	839, 857

APPROPRIATIONS.—Continued.

No.	PAGE
638 Act to appropriate money.....	919,
938, 1229, 1203, 1206, 1219, 1227,	
1287, 1301, 1399, 1441, 1442, 1443,	
1444, 1453, 1459, 1465, 1466, 1493-	
657 For relief of Thos. Wallace.....	953,
960, 115, 1217, 1318, 1550, 1570	
666 For repairs of fences, etc., on capitol grounds.....	1010, 1014, 1116
673 To rebuild Asylum No. 2 at St. Joseph.....	1013, 1026, 1128, 1164,
1192, 1276, 1288, 1353	
689 For relief of L. H. Linville.....	1032,
1042, 1140, 1217, 1335-	

ASYLUMS.

180 Act to purchase land in Jackson county for building Lunatic Asylum.....	184, 189
194 To regulate salaries of officers of eleemosynary institutions.....	186,
198, 215, 291, 538	
214 To establish Industrial Asylum for partially insane.....	195, 200
226 To establish Insane Asylum at Springfield.....	214, 220, 466
387 To repeal act to establish Insane Asylum No. 2.....	348, 385, 925-
398 To provide for rebuilding Asylum No. 2.....	356, 386
401 To repeal act to establish Insane Asylum No. 2.....	356, 386
503 To amend statute "Asylum for Deaf and Dumb".....	571, 601
619 To amend statute "Asylums".....	870, 906
634 To establish Asylum No. 2 near Lexington	909, 937
644 To establish Lunatic Asylum at Selma.....	920, 959
673 To rebuild Asylum No. 2 at St. Joseph.....	1013, 1026, 1128, 1164,
1192, 1276, 1288, 1353-	
303 Substitute for Senate bill to amend chap. 58, Gen. Stat., "Institution for Education of Blind"	
1359, 1360, 1362	
Printing Asylum reports.	68, 76, 82
Addition to Fulton Insane Asylum.....	169
Committee to select Asylum site.....	204
Burning of Insane Asylum No. 2.....	325
Location of Asylum No. 2.....	374,
388, 467, 509, 512, 565, 568, 578	
Report of Deaf and Dumb Asylum.....	58-
Report of Insane Asylum No. 2.....	59
Report of Committee on Deaf and Dumb and Lunatic Asylums...	114
Reports on Lunatic Asylums.....	246,
440, 446, 467, 512, 880	
Report from Committee on Blind Asylum.....	442-
Report from Special Committee on location of Asylum No. 2.....	963-
Petition on locating Lunatic Asylum.....	...

ASYLUMS.—Continued.	
No.	PAGE.
Memorial on same.....	243

ATTORNEYS-AT-LAW.

78	Regulating salaries and fees of prosecuting attorneys.....	83, 115, 731
291	Act to amend statute "attorneys-at-law".....	174, 294
577	In relation to attorneys-at-law	747, 754
625	Clerks for circuit attorneys.....	889, 906, 974, 1030, 1044
626	To amend act to abolish offices of circuit and county attorney...	889, 906, 950, 1103, 1139

ATTORNEY-GENERAL.

90	An act (sub. No. 1 for Senate bill No. 90,) to revise and amend chap. 18, Gen. Stat., "Attorney-General".....	1358
438	Act authorizing Attorney General to bring suit to recover certain money.....	435, 447, 460, 526, 1352
	Instructing Attorney-General to institute proceedings against B. & S. W. R. R. Co.....	630, 642
	Communications from Attorney-General.....	240, 461
	Concurrent resolution authorizing Governor and Attorney-General to prosecute claims against United States.....	920, 960, 1025, 1131, 1170, 1426, 1438

AUDITOR.

140	Act to require Auditor to report amount due school fund from revenue paid for 9 years ending March 1, 1875, etc.....	149, 164
413	Directing auditor to audit account of D. T. Jewitt.....	383, 414, 1130
594	To authorize Auditor to audit bills of D. Peterson.....	779, 813, 1140
	Calling on Auditor for financial statement.....	492
	Inquiry of Auditor as to revenue fund at time of failure of Martin Bank.....	842
	Auditor asked for statement of revenue paid into treasury from March 1, 1867, to March 1, 1875.....	985
	Report of Committee to settle with Auditor and Treasurer.....	68
	Communications from Auditor to House.....	206, 240, 282, 743, 848, 1570
	Concurrent resolution concerning report of Committee to settle with Auditor and Treasurer and examine office of Register of Lands.....	1319, 1339, 1544, 1550, 1564

AUDITOR—Continued.	
No.	PAGE.
Resolution that Auditor and Treasurer to submit statements regarding condition of treasury	1379

BANKS AND CORPORATIONS.

171	In relation to corporations.....	160, 168
273	To repeal act incorporating New Franklin, etc.....	250, 267
304	Appointment of bank commissioners, etc.....	279, 295
314	Organization and conduct of savings banks.....	286, 312
351	To amend chap. 62, Gen. Stat., "Private corporations," etc.....	319, 342, 565
353	To revise chap. 65, Gen. Stat., "Telegraph companies," ..	319, 342
354	To revise chap. 62, Gen. Stat., "Private corporations," etc.....	319, 342
355	To revise chap. 61, Gen. Stat., "Macadamized, graded and plank road companies".....	319, 342, 1010
356	To revise chap. 67, Gen. Stat., "Insurance companies".....	320, 342
357	To revise chap. 68, Gen. Stat., "Savings banks and fund companies".....	320, 342
358	To revise chap. 69, Gen. Stat., "Manufacturing and business companies".....	320, 342
359	To revise chap. 66, Gen. Stat., appropriation of land by corporations.....	320, 343
430	To repeal act to amend charter of N. Mo. R. R. Co.....	412, 453
597	To enable litigants to procure service on foreign corporations...	810
	Reports from Committee on Banks and Corporations.....	320, 331, 332, 338, 389, 564, 565, 869, 913, 1206, 1207, 1287

BONDS.

13	Act relating to assignment of bonds of counties, cities and towns.....	57, 63
73	To amend sec. 5 of act to regulate payment of U. M. bonds, etc....	83, 115, 537, 973
104	To tax bonds and judgments on bonds, etc., issued by counties and incorporated cities and towns.....	118, 147
141	To amend sec. 1 of act for levy of tax to create sinking fund to pay county, city and town bonded indebtedness.	151, 164, 565, 684
144	To amend sec. 1 of act to authorize counties, cities and towns to compromise their debts.....	151, 164, 564, 684, 741, 843, 998, 1016, 1080, 1278
377	For issue of duplicate State bonds or coupons.....	339, 349

BONDS.—Continued.

No.	PAGE
397 To enable counties, cities and towns to fund bonded debts....	348, 386
409 To authorize issue of currency bonds.....	369, 387, 1227, 1272
486 To authorize cities and towns to issue bonds to fund indebtedness.....	523, 573
530 Approval of official bonds.....	645, 666
613 Declaring certain State bonds due, etc.....	868, 905, 1128, 1254, 1649
687 To provide for registration of bonds, etc.....	1026, 1042
Calling on Fund Commissioners for information as to bonds....	492
Concerning refunding 5-20 U. S. bonds, etc.....	907, 938
52 Concurrent resolution concerning issue of 4 per cent. State bonds.....	1032, 1042, 1313, 1514

CIRCUITS—JUDICIAL.

30 Act to amend act dividing State into judicial circuits.....	61, 78, 154, 251, 279, 482, 500, 1261
91 To amend act dividing State into judicial circuits.....	112, 120
147 To amend act dividing State into judicial circuits, etc....	151, 164, 226, 306
186 To amend sec. 49 of act dividing State into judicial circuits, etc	185, 197, 226, 275, 333, 482, 579, 589
253 Amendatory of act dividing State into judicial circuits, etc., 225, 265, 470, 491, 582, 729, 754, 789, 1071, 1151, 1182	
297 To amend sec. 14 of act to amend act dividing State into judicial circuits.....	274, 294, 327, 467, 599, 650, 1072, 1160, 1290, 1310, 1331
338 To amend sec 36 of act to divide State into judicial circuits, 304, 315, 793	
404 To amend act dividing State into judicial circuits, etc.....	368, 386, 450, 526, 531, 724, 744, 774
581 To amend sec. 33 of act dividing State into judicial circuits, 750, 795, 997, 1132, 1149, 1380, 1404, 1425	
593 To reorganize and diminish number of judicial circuits.....	778, 813, 1152
612 Repealing act of March 17, 1871, providing additional compensation for judge of 16th circuit.....	868, 905, 949, 1103, 1122, 1126, 1263, 1273, 1274, 1331
621 Duties of circuit attorney of 8th circuit.....	888, 906, 950, 1093, 1126
625 Appointment of clerks for circuit attorneys	889, 906, 974, 1030, 1044, 1380, 1403, 1425

CIRCUITS—JUDICIAL.—Continued.

No.	PAGE
682 To amend act dividing State into judicial circuits.....	1020, 1041, 1097, 1202, 1333, 1540, 1557, 1592
685 Providing for election of circuit judges.....	1020, 1041
Reorganization of judicial circuits, 60, 75	
344 Senate bill—to pay judge of 16th judicial circuit.....	1338, 1343, 1362
Report of committee on judicial circuits.....	751

CITIES AND TOWNS.

37 Act to amend sec. 1 of act to amend sec. 16, chap. 41, Gen. Stat., "of town elections and powers of trustees".....	70, 79
38 To repeal act to authorize counties, cities and towns to compromise their debts.....	70, 79, 470
112 For government of cities of 4th class.....	118, 148, 869
129 To amend sec. 2 of act to consolidate acts in relation to Springfield	141, 162
131 To amend secs. 30 and 31 of chap. 41, Gen. Stat., "incorporation of towns,".....	142, 163, 1206, 1274, 1394, 1395
132 To repeal act to incorporate Kirkwood.....	142, 163
144 To authorize counties, cities and towns to compromise their debts.....	151, 164, 564, 684, 741, 844, 998, 1016, 1080, 1278, 1352
149 To amend act for classification of cities and towns.....	151, 165
151 Subdistricting cities and towns of first class for school purposes, etc	152, 165
187 To amend act for government of cities of 4th class.....	185, 197, 237
207 To amend act for classification of cities and towns.....	187, 199
278 To amend act for classification of cities and towns.....	253, 280, 288
452 To amend act for government of cities of 4th class.....	464, 473
454 To repeal act to incorporate town of Rolla.....	466, 481
498 To amend act for government of cities of 4th class.....	571, 600
575 To amend act for government of cities of 4th class.....	587, 602, 1207
586 To enable cities and towns to fund their indebtedness.....	663, 699, 1332, 1408, 1455, 1498, 1527, 1529, 1532, 1533, 1613, 1624, 1636
554 Declaring Webb a city of 4th class, 721, 736	
561 Authorizing town board of Wells-ville to remove dead bodies, 726, 752, 847, 1006, 1014, 1176, 1197, 1182	

CITIES AND TOWNS.—Continued.

No.	PAGE
567 To amend act for classification of cities and towns.....	728, 753, 912, 1102, 1555
586 To regulate mining in cities and towns.....	761, 796, 998, 1311, 1317, 1467, 1508, 1526, 1565, 1585, 1592
667 To amend act to incorporate cities of first class.....	1010, 1014
704 To amend act to incorporate Pleasant Hill.....	1051, 1063, 1873
Petition from citizens of Kirkwood for disincorporation,	223, 356
Remonstrance against same.....	223
Protest from citizens of Kirkwood	451
For disincorporation of Rolla.....	544
Against same.....	644
In relation to limits of Pleasant Hill.....	1061

CONTINGENT EXPENSES STATE OFFICERS.

Report from Adjutant-General.....	219
From State Treasurer.....	223
From Register of Lands.....	231
From Railroad Commissioners.....	233
From School Superintendent.....	233
From Attorney-General.....	240
From Auditor.....	240, 282
From Secretary of State.....	241
From State Librarian.....	242
From Chief Justice Supreme Court.....	242
From Governor.....	255

COUNTIES.

144 Act to authorize counties, cities and towns to compromise their debts.....	151, 164, 564, 684, 741, 844, 998, 1016, 1080, 1278, 1352
254 To reimburse counties for money paid State, etc.....	225, 265, 439, 571, 694, 703
305 For transferring unexpended balances in county treasuries.....	280, 295, 449, 486, 628
324 To repeal act relating to judicial sales in St. Louis county.....	305, 314, 330, 406
325 To repeal act for establishment and repair of roads in St. Louis county.....	305, 314, 332, 450, 556, 763, 775, 841
326 To repeal act concerning partition of lands in St. Louis county	305, 314, 331, 449, 557, 746, 764, 774
327 To repeal act for the establishment and improvement of roads in St. Louis county.....	305, 314, 331, 406, 558, 763, 777, 841
328 To repeal act regulating fees of jurors in St. Louis county.....	305, 314, 331, 559, 763, 775, 841

COUNTIES.—Continued.

No.	PAGE
329 To repeal act for the benefit of jailer of St. Louis county.....	305, 314, 330, 407, 560, 764, 776, 841
362 To repeal act for pay of jurors in St. Louis county.....	320, 343, 388, 524, 560, 764, 777, 841
363 To repeal act for jury system in St. Louis county.....	320, 343, 389, 524, 561, 777, 841
364 To repeal act in relation to justices of county court in St. Louis county.....	329, 343, 388, 525, 562, 764, 776, 841
366 To repeal act for erection of St. Louis county poorhouse.....	321, 343, 389, 525, 563, 764, 775
367 To repeal act to work roads in St. Louis county.....	321, 343, 389, 525, 563, 764, 774, 841
376 Authorizing counties to hold elections to incur debt.....	325, 344
396 To provide a uniform system of cancelling county warrants.....	348, 386, 692, 859, 972, 1119, 1160, 1292, 1337, 1354, 1375
403 To change name of St. Louis county.....	360, 386
559 To amend statute and add portion of Miller to Camden county	726, 752, 890, 1023, 1116
616 Elections to change boundary lines of counties.....	870, 905, 933, 1057, 1072
674 To provide for payment of county warrants.....	1016, 1026
675 Requiring county courts to pay assessors for listing dogs.....	1016, 1027
Reports from Committee on County Boundaries.....	890, 933, 1050, 1108, 1009, 1217
Petition concerning workhouses in counties.....	414

COURTS.

15 Act to facilitate appeals from St. Louis court of appeals to Supreme court.....	57, 63, 135, 192
96 To repeal act to provide for holding court by judge of another circuit, etc.....	113, 120
220 Stenographic reporters for circuit courts.....	197, 213
315 To repeal act establishing criminal court in Johnson county.....	285, 313
360 To amend act to provide for uniform system of county courts,	320, 343, 346, 1322
364 To repeal act in relation to justices of county court in St. Louis county.....	320, 343, 338, 525, 562, 764, 776, 841
368 Judges of courts of record to appoint stenographers.....	321, 344
462 To amend secs. 16 and 17, chap. 134, Gen. Stat. "Supreme court,"	356, 386, 468, 683, 793, 826

COURTS.—Continued.

No.	PAGE
439 To amend act to establish probate courts.....	441, 454
449 To amend act reorganizing St. Louis circuit court.....	434, 455, 509
460 Concerning reorganization of St. Louis circuit court, etc.....	479, 532, 911, 1029, 1053
463 Concerning holding courts by judges of other circuits, etc.,	479, 533
473 To provide a uniform system of county courts, etc.....	493, 534
481 Number of persons to compose county courts.....	512, 535
527 To repeal sec. 5 of act establishing uniform system of probate courts.....	630, 642
528 To amend sec. 16 of act establishing probate courts.....	630, 642
541 To amend act establishing court of common pleas at Sturgeon...	678, 700, 779, 855, 1060, 1068
546 Defining jurisdiction of common pleas courts.....	691, 735, 847, 997, 1066
560 To amend act establishing probate courts	726, 752, 909, 1093
612 To amend statute "circuit courts" 868, 905, 949, 1103, 1122, 1126, 1263, 1273, 1274	
628 County courts to investigate county records.....	889, 907
659 To amend act to provide uniform system of county courts...958,	1011
690 To authorize county courts to procure certain surveys.....	1032, 1042, 1174, 1498, 1527, 1529, 1531, 1603, 1617, 1623, 1653
32 Concurrent resolution on removal of causes from State to United States courts.....	348, 530, 640, 654, 1190, 1207
Supreme court commission.....	72, 81, 515, 588, 683
Jurisdiction of court of appeals...	149, 190, 283, 514, 640
To divide supreme court into departments.....	299
Jurisdiction of court of appeals...	1032, 1043, 1243
Communication from supreme court	298
Petition for transferring supreme court to St. Louis.....	284, 319
For Sturgeon common pleas court.....	889

CRIMES AND PUNISHMENTS.

4 Act to inflict corporal punishment in certain cases.....	56, 62, 256, 373, 518
5 To define grand larceny, etc.....	56, 62
14 For the punishment of rape.....	57, 63, 210, 211, 290, 317
31 For suppression of petty thefts, etc.	62, 78, 256, 373, 518
63 To amend act for the imprisonment of persons convicted of misdemeanors in other places than county jails.....	77, 108

CRIMES AND PUNISHMENTS.—Continued.

No.	PAGE
121 Regulating costs in criminal cases	141, 162, 438
134 To punish officers of defaulting banks.....	143, 163, 255, 407, 504
168 To repeal act to permit persons to testify in their own behalf in criminal cases.....	160, 188, 246
213 To amend secs. 4 and 5, art. 5, chap. 111, Wag. Stat., "practice in criminal cases,"	187, 200, 438
279 To punish frauds, cheats, etc.,	253, 280, 407, 555, 631, 647
307 Punishment of incest.....	285, 312, 437, 524, 567
412 Declaring it felony to steal timber,	378, 387
445 Imprisonment for misdemeanor in other places than county jails,	445, 454
466 Commuting time of jail imprisonment.....	480, 533, 648
556 To encourage capture of horse and mule thieves.....	721, 736, 881, 916, 1029, 1069
601 To amend act making illegal voting felony.....	811
652 Commuting time of jail imprisonment.....	932, 960, 1106, 1216
697 To make malicious libel a felony,	1040, 1063, 1105, 1106
702 To punish illegal issuance of license.....	1044, 1063

DOMESTIC ANIMALS.

3 Act to repeal act for registering and licensing dogs.....	62, 81, 185, 211, 291, 301, 1383, 1480
17 To repeal same.....	57, 63,
28 To amend secs. 2 and 3 of act to prevent domestic animals from running at large.....	61, 78
29 To repeal act for registering and licensing dogs.....	61, 78
59 To repeal act for registering and licensing dogs.....	76, 108,
80 To amend act for registration and licensing dogs.....	83, 115, 178, 941
146 To amend act for registering and licensing dogs.....	151, 146
370 To restrain domestic animals from running at large.....	325, 344
384 Restraining certain animals from running at large.....	340, 350
407 To prevent swine from running at large.....	368, 387, 664, 924, 962, 1241, 1260, 1277
419 To prevent swine from running at large.....	384, 415, 664, 924, 962, 1241, 1260
455 To restrain breachy stock.....	466, 482
477 To repeal sec. 5, chap. 6, Wag. Stat., "Animals," etc.....	493, 534, 810, 939, 1035
564 To amend act to restrain domestic animals from running at large in city of St. Louis.....	727, 752

DOMESTIC ANIMALS.—Continued.

No.	PAGE
568 To amend act to restrain domestic animals from being herded on lands other than the owner of such herd.....	732, 753, 1101, 1185, 1318, 1352, 1353
582 To amend act licensing dogs.....	751, 795
Petition in regard to domestic animals.....	123
To prevent hogs from running at large.....	284
To prevent hogs and sheep from running at large.....	368
For law to restrain breachy stock	399
To prohibit stock from running at large.....	444
Against bill prohibiting swine from running at large.....	714
Against alteration of stock law.....	1012
For amendment of stock law.....	1173
In relation to stallions and jacks...	273

DRAINAGE.

156 Act to provide for formation of drainage districts, etc.....	153, 165, 216, 447, 813, 814, 997, 1030, 1185, 1197
------------------------------------------------------------------	-----------------------------------------------------

DOORKEEPER.

Concerning employes under doorkeeper.....	117
Resolution instructing doorkeeper to seat lobby to hear Vest's speech.....	128
Communication from doorkeeper..	128
Charges against doorkeeper.....	221
Exonerating doorkeeper.....	276
Expense of investigating charges against doorkeeper.....	307
Doorkeeper instructed to discharge wood carriers.....	553
Report of committee to investigate charges against doorkeeper.....	276

EDUCATION.

12 Act for better protection of school fund.....	57, 63, 244, 372, 390
33 To amend school law.....	62, 78, 153, 256
54 To aid school districts in erecting houses.....	73, 81, 256
57 Defining a school month.....	73, 81, 153
70 In relation to public school funds	77, 109, 245, 333, 351, 589
75 To repeal secs. 17, 18 and 19 of act to locate and dispose of land grant to endow school of mines, etc.....	83, 115
87 To amend school law.....	112, 119, 255, 333, 354
106 To repeal secs. 42, 43 and 44 of act to reorganize and provide for support of public schools.....	118, 148
152 To prescribe powers and duties of boards of education.....	152, 165, 202, 248, 309, 310

EDUCATION.—Continued.

No.	PAGE
165 To amend act to reorganize and support public schools....	153, 166
173 To amend act to reorganize and support public schools.....	160, 188
175 To amend act to reorganize and support public schools.....	160, 189
231 Protection of State school fund...	214, 220
232 Formation of school districts in counties of Franklin and Webster....	214, 220, 293, 294, 349, 574
239 To amend act to reorganize and support public schools.....	218, 228
361 To repeal act to aid Normal schools.....	320, 343
381 To reorganize and support public schools.....	340, 349
394 To amend law in relation to public schools in cities, towns and villages.....	348, 385
399 To preserve public school fund of cities and towns.....	356, 386, 1359, 1392, 1540, 1568, 1592
406 To amend school law.....	368, 387
482 To amend statute concerning loaning school moneys.....	512, 535
509 Purchase of school books.....	587, 602, 1127
555 Requiring public schools to be taught 6 days in each week...	121, 736
557 To disincorporate Caruthersville Education Society.....	721, 736, 780, 859, 988, 1312, 1332, 1353
575 For reducing cost of education...	739, 754
590 To amend act to reorganize Board of Curators State University....	761, 796
608 In relation to titles to certain school lands.....	851, 904, 933, 1018, 1142, 1169, 1404, 1440, 1475
692 To amend act to amend sec. 37 of school law.....	1040, 1062, 1487, 1501, 1540, 1541
706 To amend laws in relation to public schools in cities, towns and villages...	1052, 1064, 1173, 1243, 1339, 1538, 1557, 1574
Report of Lincoln Institute.....	59
Report of Kirksville Normal School.....	59
Report of Cape Girardeau Normal School.....	74
Report of Warrensburg Normal School.....	74
Report of State School Superintendent	74
Instruction to Committee on Education.....	223
School fund in St. Louis.....	123
School tax book.....	204
Calling for information from School Superintendent, concerning Normal Schools...	433, 434
Calling for names of teachers and salaries of Normal Schools...	441

EDUCATION.—Continued.

No.	PAGE
Calling on School Superintendent for information as to teachers in State University.....	511
Indebtedness of State University..	522
Concerning St. Louis Board of Public Schools.....	297
To abolish certain offices and institutions of learning.....	306
Amendment of school law.....	360
Changes in school law.....	360
Sale of liquor in towns where State educational institutions are located.....	374
In relation to school text books.....	553
Appointing committee on school books.....	1242
Communications from School Superintendent...233, 493, 497, 520,	544
Reports from Committee on Education.....153, 171, 202, 245, 255, 438,	439, 638, 797, 933, 1009, 1127, 1173
Conditions of appropriation to State University.....	296
Reports from Committee on State University.....	547, 957
Petition in regard to qualifications of county school superintendents.....	207
Relating to school law.....	213, 360, 888
In relation to school text books..	553
Concerning St. Louis Board of Public Schools.....	297
Remonstrance against school book commissioner.....	1242
Petition praying passage of "Shannon bill".....	1343

ELECTIONS.

511 Act to preserve purity of elections, 587, 602, 728, 862, 919, 992,	1189 1207, 1232
531 Concerning frauds at primary elections.....	645, 666
540 To repeal act providing for voting by those who failed to register.....	678, 700
658 To promote order at elections, 935,	1011
695 To provide for election of transfer clerks.....	1040, 1063
696 To provide for exercise of right of voting.....	1040, 1063
75 Substitutes 1 and 2 for Senate bill No. 75, to revise and amend chaps. 2 and 3, Gen. Stat., "popular elections".....	1382
Resolution concerning manner of voting at elections.....	205
Suffrages and elections.....	383, 455, 1203
Reports from Committee on Elections.....	513, 682, 1054

EXECUTIONS.

85 Act to amend statute "attachments and executions".....	112, 119
-----------------------------------------------------------	----------

EXECUTIONS.—Continued.

No.	PAGE
385 To amend statute, "executions," 340, 350, 635, 750,	816
358 An act concerning executions.....	320, 342, 1347
431 To repeal secs. 9, 11, 12 and 13, chap. 160, Gen. Stat., "executions".....	412, 453, 876, 919
462 Exemption of certain property from execution.....	479, 533
468 To amend statute, "executions,"	480, 533
522 To amend statute, "executions,"	618, 641
FEES.	
26 Act to regulate collector's fees.....	61, 78, 823
60 Regulating fees of witnesses.....	77, 108, 210, 291
64 To limit fees of judge of probate.....	77, 108, 731, 787
78 Regulating fees and salaries of prosecuting attorneys.....	83, 115, 732
205 To regulate fees in office of Secretary of State...187, 199, 238, 405,	539
289 To regulate fees of county and circuit clerks and recorders.....	264, 281, 512, 693
328 To repeal act regulating fees of jurors in St. Louis county.....	305, 314, 331, 559, 763, 775, 841
344 To repeal act regulating fees of circuit clerks in certain counties.....	308, 341
345 Fees of justices of the peace, etc., 308, 341, 409,	524
346 Attorney's fees in arbitration...307, 341	
375 Fees of justices of the peace... 326, 344	
388 To amend act to regulate fees of collectors.....348, 385, 721, 725, 858,	1023, 1045, 1241, 1364, 1349, 1350, 1351, 1364, 1392, 1425
389 To regulate fees of witnesses.....	348, 385
400 To amend act to regulate fees of collectors.....	356, 386, 825
418 Taxing fees by clerks and justices..	383, 415
495 Fees paid sheriffs, marshals and others for boarding prisoners...549, 574, 746, 858, 923, 1013, 1022,	1023, 1039
514 To amend statute, "witness fees", 587,	602, 781
624 To compel sheriffs and other officers to pay over witness fees...889, 906, 1009, 1093, 1112, 1364, 1420,	1441
643 To regulate fees.....920, 959, 1119, 1244, 1328, 1329, 1407, 1464, 1470	
655 To regulate amount of fees to be retained by certain clerks..940, 960,	1114
204 Act to regulate salaries of judges..	186, 199
211 To amend act fixing salary of clerk of Supreme Court...187, 199,	227, 687

FEES —Continued.

No.	PAGE
371 To amend law fixing salary of State librarian and assistant.....	326, 344
525 To regulate salary of circuit attorney of 8th circuit.....	630, 641, 973, 1102, 1134, 1352
Report of committee on fees of officers in St. Louis.....	715
Printing testimony on fees of officers in St. Louis.....	1017
Report from Special Committee on Fee Bills.....	1328
Petition concerning fees of collector of Jackson county.....	811
Resolution on reduction of salaries	111
Limiting salaries.....	749
Petitions for reduction of salaries..	55, 123, 158, 195, 223, 243, 374, 382, 679

GAME AND FISH.

22 Act to amend act for preservation of game animals and birds.....	58, 64
36 To amend act for preservation of game animals and birds.....	62, 79
42 To amend sec. 1 of act for preservation of game.....	70, 79
45 To prevent netting of fish in "Cut-off," etc.....	71, 80, 130, 217, 230, 297, 482, 500, 530
110 For the further protection of game	119, 148
127 To amend act for preservation of game animals and birds.....	141, 161
143 To amend sec. 1 of act for preservation of game.....	151, 164
158 For propagation and protection of food fishes, etc.....	152, 166, 390, 790, 791, 793, 794, 1176, 1197, 1331 (sub)
216 To amend chap. 18, Gen. Stat. "preservation of fish and destruction of wolves"	196, 213, 257
233 To amend act to prevent destruction of fish, etc.....	214, 390, 790, 791, 993, 994, 1177, 1197
240 To amend sec. 1 of act for preservation of game, etc.....	218, 228
264 To protect California quails.....	225, 266, 287, 372, 607, 776, 875, 885, 886
268 To amend act to prevent destruction of fish.....	237, 266, 390, 790, 791, 993, 994, 1177
299 To amend Gen. Stat. "preservation of fish and destruction of wolves".....	274, 295, 334, 448, 614, 615, 764, 776, 824
393 To prevent killing of wild geese after sunset.....	348, 385
433 To amend act for preservation of game.....	413, 453, 925
487 To repeal act to prevent destruction of fish.....	523, 573, 1174, 1229
595 To amend act for preservation of game.....	779, 813
Petition against fish law.....	382
Against killing wild geese after sunset.....	521
Report of fish commissioner.....	174

GENERAL ASSEMBLY.

116 Act to amend act to amend sec. 1, chap. 8, Gen. Stat. relating to pay of Gen. Assembly, etc	140, 161, 215, 216, 406, 503, 787, 830, 956
130 In relation to pay of Gen Assembly.....	142, 163, 215, 216, 406, 503, 787, 830, 956
167 Fixing per diem of clerks of Gen. Assembly.....	160, 188, 215, 216, 406, 503, 787, 830, 956
544 Fixing compensation of Secretary of Senate and Chief Clerk of House.....	691, 735, 743, 750, 771, 873, 884, 886
513 Requiring Governor to appoint visiting committee for State Institutions of members of Gen. Assembly.....	587, 602, 809, 1057, 1197
Election of permanent officers of 30th Gen. Assembly.....	7
Committee to wait on speaker elect...	8
Senate to be informed of organization of House.....	12
Committee to inform Governor of organization.....	12
Election of chaplain.....	46
Opening House with prayer.....	46
Rules of 29th Gen. Assembly to govern 30th.....	49
Joint rules of 30th Gen. Assembly to be accepted by House.....	49
Chief clerk to inform Senate that House is ready to open returns of election for Supt. of schools.....	49
Committee to report employes.....	49
Changing time of electing members of Gen. Assembly.....	224, 267
Reduction of legislative representation.....	284
Representation and apportionment	284, 440, 445
Committee clerks.....	69, 113, 125, 131, 183, 146, 252, 284, 296, 339, 374, 376, 379, 384, 400
Employes under doorkeeper.....	117
Vote of two houses for senators.....	136
Death of Long.....	138
Visiting committees.....	120, 122, 123, 170, 194, 577
Committee to locate asylum No. 2	577, 707, 708, 707, 708
Amendments to rules.....	195, 236, 293, 345, 355, 576, 594, 634, 640, 645, 778, 842, 1111, 1117
Evening sessions.....	773
Election of speaker <i>pro tem</i>	1117
Concerning absentees.....	1118, 1166
Concerning adjournment <i>sine die</i>	1039, 1064, 1114
Decrease of legislative representation.....	1040, 1217
61 Concurrent resolution to suspend joint rules.....	1371, 1375
62 Concurrent resolution in regard to adjournment ...	1398, 1456, 1478, 1650

GENERAL STATUTES.

No.	PAGE.
9 To amend sec. 22, art. 1, chap. 38, Wag. Stat., "costs in civil cases".....	56, 63, 124, 182, 190
34 To amend secs. 9 and 11, chap. 191.....	62, 78
35 To amend sec. 23, chap. 200.....	62, 79, 210, 211, 290, 317
37 To amend sec. 1 of act to amend sec. 16, chap. 41.....	70, 79
39 To amend sec. 26, chap. 80, Wag. Stat.....	70, 79
40 To amend sec. 1, chap. 195, "liens,".....	70, 79, 409
41 To amend secs. 23 and 24, chap. 200, "crimes and punishments,".....	70, 79, 210, 211, 290, 317
43 To amend sec. 28, chap. 169.....	71, 79
44 To amend sec. 49 of act, "appeals and writs of error in civil cases," etc.....	71, 79, 80
55 To amend sec. 2, chap. 42.....	73, 81
62 To amend sec. 10, chap. 131.....	77, 108
77 To amend sec. 2, chap. 173, "costs,".....	83, 115, 503
82 To amend sec. 11, chap. 477, Wag. Stat., "dower,".....	109, 116
89 To amend art. 8, chap. 37, Wag. Stat., "benevolent, religious and educational institutions,".....	112, 119, 212, 323, 482, 499
139 To amend sec. 2, chap. 14.....	149, 163, 238, 349, 509
148 To amend sec. 1, chap. 111.....	151, 165
166 To amend secs. 8 and 31, chap. 38,.....	159, 188, 470, 620
172 To amend sec. 4, chap. 8.....	160, 188, 215, 216, 406, 503, 787, 830, 956
176 To amend sec. 28, chap. 206, Gen. Stat.....	160, 189, 699, 939, 1082, 1095, 1118, 1127
179 To amend sec. 26, chap. 98.....	184, 189, 245, 349, 575
181 To amend sec. 24, chap. 48, Wag. Stat.....	184, 189, 692
182 Supplementary to chap. 112, "voluntary assignments,".....	184, 189
183 To amend sec. 8, chap. 82, art. 1, Wag. Stat.....	184, 190
188 To amend sec. 18, chap. 146, Wag. Stat., "witnesses".....	185, 197
190 To amend sec. 21, chap. 44, Wag. Stat., "depositions," etc.....	186, 197
196 To amend sec. 69, chap. 118, Wag. Stat.....	186, 198
198 To amend sec. 22, chap. 36, "county buildings," etc.....	187, 198
199 To amend sec. 8, chap. 213, "of trials," etc.....	187, 198
201 To amend sec. 5, chap. 165, "practice in civil cases".....	187, 199
215 To amend sec. 65, art. 1, chap. 118, Wag. Stat.....	196, 213
217 To amend sec. 1, chap. 15, "State Library".....	196, 213
243 To amend sec. 32, art. 8, chap. 42, Wag. Stat.....	218, 228, 481

GENERAL STATUTES—Continued.

No.	PAGE.
247 To amend act to amend chap. 201, "offenses against public and private property".....	224, 264
249 To amend sec. 20, chap. 36, "county buildings" etc.....	224, 264
255 To amend act to amend secs. 14 and 17, chap. 2, "elections," etc.....	225, 265, 682, 857, 1006, 1034
261 To amend sec. 3, chap. 200, "offenses against individuals," etc.....	226, 265, 471, 489, 642, 729, 861
282 To amend sec. 118, chap. 118, Wag. Stat.....	253, 280
294 To amend secs. 7 and 8, art. 9, Wag. Stat.....	274, 294, 438
300 To amend sec. 8, chap. 110, Wag. Stat.....	275, 295
312 To amend sec. 21, chap. 9, Wag. Stat.....	285, 312
321 To amend sec. 55, chap. 152, "partition".....	286, 313
322 To amend chap. 212, "proceedings before trial".....	304, 313, 437, 599, 831
336 To amend sec. 53, chap. 165.....	305, 315, 670
337 To amend sec. 51, art. 5, Wag. Stat.....	305, 315
342 To amend sec. 42, chap. 141.....	308, 341, 636, 729, 754
352 To revise chap. 70.....	319, 342, 1328
382 To amend chap. 85, Wag. Stat. 340, 350	
395 To amend sec. 1, chap. 68, Wag. Stat.....	348, 396
417 To amend secs. 2, 3 and 5, art. 1, Wag. Stat.....	383, 415
478 To amend sec. 3, chap. 200.....	493, 534
489 To amend sec. 69, chap. 118, Wag. Stat.....	545, 573, 809, 946, 1048
501 To amend sec. 6, chap. 3, Wag. Stat., "advertisements,".....	571, 601, 682, 955
516 To amend sec. 2, chap. 141.....	587, 602
519 To amend sec. 2, chap. 142.....	617, 641
522 To amend sec. 11, chap. 160, Wag. Stat., "executions".....	618, 641
537 To amend sec. 7, chap. 108.....	676, 699
542 To amend chap. 205, "offenses against public peace".....	684, 700, 912, 1103, 1135
543 To amend sec. 1, chap. 68, Wag. Stat., "homesteads,".....	691, 734
549 To amend sec. 5, chap. 214, "verdict and judgment and proceedings thereon".....	694, 735
566 To amend chap. 204, "offenses by persons in office,".....	727, 753, 1057, 1070
580 To amend secs. 1 and 2, chap. 139, Wag. Stat., "trusts and trustees".....	750, 595, 1332
588 To amend sec. 15, chap. 69.....	761, 796, 1106, 1407, 1455, 1538, 1568, 1592

GOVERNOR.

No.	PAGE.
513 Act requiring Governor to appoint committee of General Assembly to examine State institutions.....	587, 602, 809, 1057, 1197
Biennial message of Governor.....	14
Printing Governor's message.....	50
Printing additional copies of same.....	54
Translating Governor's message.....	111
Special messages from Governor..	84, 131, 139, 174, 183, 204, 255, 399, 499, 529, 557, 594, 640, 683, 740, 774, 824, 840, 885, 1000, 1039, 1102, 1126, 1182, 1231, 1277, 1331, 1353, 1375, 1425, 1441, 1475, 1493, 1535, 1574, 1592, 1621, 1623, 1636, 1638
Message concerning finances, affairs of Treasurer and criminal costs.....	1153
Concurrent resolution authorizing Governor to bring suit on bonds of State officers.....	1343
Concurrent resolution authorizing Governor and Attorney-General to prosecute claims against United States....	920, 960, 1025, 1131, 1170, 1426, 1433
Resolution for committee to inform Governor of hour of adjournment.....	1645
Report of committee on same	1649
Message from Senate on same.....	1649

IMMIGRATION.

333 Act to encourage immigration..	304, 315
424 To establish a board of immigration, etc....	394, 416, 639, 751, 822, 836, 1351, 1517, 1518, 1519, 1520, 1521, 1547, 1623
Report of Board of Immigration ..	82
Resolution to appoint committee on immigration.....	283
Reports from Committee on Immigration	639, 1000

INSPECTION.

153 Act to amend act to regulate inspection of petroleum, etc.....	152, 165, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1574, 1584, 1604, 1654
372 To amend sec. 4 of act for inspection of petroleum.....	325, 344, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1574, 1584, 1604, 1654
423 To provide for inspectors of election	388, 415, 513, 670, 697, 1146
425 To amend act for inspection of petroleum.....	399, 416
437 To regulate inspection of petroleum....	416, 454, 732, 782, 998, 1027, 1426, 1516, 1517, 1518, 1519, 1520, 1521, 1560, 1574, 1584, 1604, 1654

INSPECTION—Continued.

No.	PAGE.
484 Appointment of liquor inspectors, etc....	523, 573, 646, 750, 924, 1028, 1165, 1230, 1239, 1333
551 To amend act to regulate inspection of petroleum.....	708, 735
645 To provide for inspection of weights and measures.....	920, 959, 1174, 1287, 1323, 1373

INSURANCE.

23 Act to provide for non-forfeiture of life insurance policies, etc....	61, 77, 1482, 1502
93 To provide for winding up insolvent insurance companies..	113, 120
97 To amend act entitled "insurance other than life"	113, 120, 154
114 To amend sec. 40 of act for incorporation and regulation of life assurance companies.....	130, 161
115 To amend sec. 44 of act for incorporation of insurance companies other than life....	140, 161, 210, 291, 362, 647
193 To control forfeiture of life insurance policies.....	186, 198, 216
227 Misrepresentations in securing fire insurance....	214, 220, 1022, 1165, 1191
251 To render insurance companies responsible, etc.....	225, 264, 1022, 1165, 1191
280 In relation to fire insurance....	253, 280, 1022, 1165, 1191
281 To amend art. 3, chap. 76, Wag. Stat., "insurance other than life"	253, 280
410 To repeal act to create insurance department	369, 387, 664
411 To amend act entitled "life insurance"	378, 387
446 To amend act for incorporation of insurance companies.....	445, 454
447 To amend act for incorporation of insurance companies.....	445, 455
458 Providing for taxation of insurance companies	479, 532
459 In relation to insurance.....	479, 532
494 Insurance against fire.....	549, 574
499 Deposits to be made by foreign insurance companies.....	571, 601, 1021
512 Incorporation and registration of life assurance companies....	587, 602
523 To amend statute, "insurance other than life"	618, 641
535 To amend statute, "to create an insurance department"....	663, 699
539 To amend act to create an insurance department....	678, 699, 773, 946, 1059
609 To amend act for incorporation of insurance companies.....	852, 904
637 To amend statute, "insurance department"	909, 938, 1022
663 To regulate business of fire insurance.....	999, 1014

INSURANCE.—Continued.

No.	PAGE.
Reports from Committee on Insurance.....	644, 1020, 1022, 1248
Petitions against compelling foreign insurance companies to make deposit	644, 676, 677, 678, 682, 690, 691, 725

INTEREST.

2 Act to revise and amend statute, "of interest".....	53, 62, 238, 277, 405, 418, 775
21 To regulate the rate of interest.....	57, 64, 238, 277, 405, 418, 755
592 To regulate rate of interest.....	778, 813
602 Regulating interest of money.....	811, 602, 1093, 1137, 1217, 1277
607 Regulating interest of money.....	841, 904
684 Fixing rate of interest on real estate security....	1020, 1041, 1230, 1336
Petition against interest bill.....	372
Praying reduction of interest.....	398
For reducing rate of interest.....	451
In relation to legal rate of interest.	663
In relation to interest.....	679

JUSTICES OF THE PEACE.

208 Act to amend secs. 2 and 3. chap. 177, Gen. Stat., "jurisdiction of justices of the peace".....	187, 199
*212 To amend secs. 2 and 3, art. 1, chap. 82, Wag. Stat., "jurisdiction of justices' courts"....	188, 200, 513, 514, 586, 588, 694, 702
245 To amend sec. 4, art. 9, chap. 82, Wag. Stat., "appeals from justices".....	219, 229
271 To amend sec. 1, chap. 81, Gen. Stat., "justices of the peace"....	237, 267
375 Fees of justices of the peace.....	326, 344
485 To amend statutes, "justices courts".....	523, 573
493 Procedure before justices of the peace.....	545, 574
524 Fees of justices of the peace.....	618, 641
623 Removal of justices of the peace and others for malfeasance, etc.....	889, 906, 1009, 1010, 1132, 1149
Reports from Committee on Justices of the Peace.....	513, 514

JURIES AND JURORS.

16 Act to provide jury system in cities of over 50,000 (100,000) inhabitants ..	57, 63, 144, 251, 303, 961, 1001
66 To amend act to provide manner of selecting jurors, etc.....	77, 108
92 To provide manner of selecting and summoning juries for courts of record.....	113, 120
333 To revise chap. 146, Gen. Stat., "juries".....	304, 314, 681, 928, 1029, 1048, 1134, 1160, 1291, 1369, 1375

JURIES AND JURORS.—Continued.

No.	PAGE
328 To repeal act regulating fees of jurors in St. Louis county.....	305, 314, 381, 559, 763, 775, 841
362 To repeal act for pay of jurors in St. Louis county....	320, 343, 388, 534, 561, 777, 841
363 To repeal act for jury system in St. Louis county....	320, 343, 389, 524, 561, 777, 841
469 To amend statutes, "jurors".....	480, 533
Petition for abolition of grand jury system.....	890

LANDLORDS AND TENANTS.

76 Act to amend sec. 33, chap. 189, Gen. Stat., "landlords and tenants".....	83, 115, 503
103 To amend sec. 18, chap. 189, Gen. Stat., "landlords and tenants,"	118, 147, 202, 291, 324, 360
189 To amend chap. 85, Wag. Stat., "landlords and tenants," etc....	186, 197
572 To amend statute, "landlords and tenants".....	739, 753
636 To amend statutes, "landlords and tenants".....	909, 938

LICENSES.

7 Act to amend statute, "of dramshop keepers and their licenses".....	56, 63, 119, 131, 190, 302
81 To amend act to tax and license manufacturers.....	112, 119
99 To amend statute, "peddlers' licenses".....	117, 147, 208, 252, 323
100 To amend act to tax and license manufacturers.....	118, 147
109 To amend statute, "auctioneers and their licenses".....	118, 148, 158, 217, 358
122 To prevent licensing or taxing certain professions.....	141, 162, 238, 244, 333, 336, 453, 465
164 To amend act to tax and license manufacturers.....	153, 156
178 To amend statute of "merchants' licenses".....	167, 189, 913
266 To exempt live stock auctioneers from license.....	236, 266
269 In relation to licensing attorneys..	237, 266
318 To license keepers of jacks and stallions.....	285, 313, 340
378 To license non-resident trappers...	340, 349
429 To license dealers in tobacco and cigars.....	400, 416, 1152, 1204, 1249, 1258
457 To amend statute, "dramshop keepers and their licenses".....	479, 552, 881, 1010, 1131, 1194
508 To amend statute, "dramshop keepers and their licenses"....	587, 602

LICENSES.—Continued.

No.	PAGE
510 To amend statute, "peddlers' licenses".....	587, 602, 770, 858, 921
562 To amend statute, "merchants' licenses".....	727, 752
649 To amend act entitled "dramshop keepers and their licenses".....	921, 959
651 Licensing dealers in witness fees.....	925, 959
664 To require pawnbrokers to pay State license.....	999, 1014
Petition concerning illegal dramshop license.....	851

LIQUOR—SALE OF.

27 Act to amend sec. 1 of act to regulate sale of intoxicating liquors by druggists.....	61, 78, 648, 649, 722
101 To amend sec. 1 of act to regulate sale of intoxicating liquors by druggists.....	118, 147, 330, 648, 649, 722
102 To amend sec. 7, chap. 98, Gen. Stat., "of dramshop keepers and their licenses".....	118, 147
133 To amend sec. 8, chap. 48, Wag. Stat., "dramshops".....	143, 163, 480, 692, 693
145 To amend act to amend act to regulate sale of intoxicating liquors by druggists.....	151, 164, 648, 649, 722
157 To amend sec. 8, chap. 98, Gen. Stat., "of dramshop keepers and their license".....	152, 166, 881, 1010, 1131, 1142, 1194
275 To repeal act to restrain sale of liquor near State University.....	251, 267, 288
339 To regulate sale of liquors by druggists.....	307, 340, 648, 649, 722, 723, 724, 838, 865, 1391
348 Sale of liquor by druggists.....	308, 341
518 To regulate sale of spirituous liquors.....	588, 603
548 Collection of fines and costs from dramshop keepers.....	692, 735
587 In relation to dramshops.....	761, 796
635 To regulate sale of intoxicating liquors.....	909, 938
650 Imposing a tax and prescribing mode of collecting same on sale of wine, beer and ardent spirits.....	925, 959, 1159, 1249, 1421, 1422, 1423, 1424, 1450, 1453, 1454
661 To regulate sale of bitters.....	985, 1011
Criminal costs from sale of liquor..	170
Prohibition—manufacture, importation and sale of intoxicating liquors.....	61, 82, 185, 196, 207, 252, 273, 276, 284, 297, 325, 339, 356, 368, 373, 374, 382, 383, 398, 414, 434, 436, 441, 445, 451, 452, 465, 477, 491, 521, 544, 544, 545, 552, 553, 570, 577, 599, 600, 629, 643, 644, 691, 694, 726, 825, 870, 871, 875, 903, 940, 945, 950, 958, 1096, 1224, 1343

LIQUOR—SALE OF.—Continued.

No.	PAGE
Remonstrance against bell-punch bill.....	1310
Remonstrance against same.....	1342
Remonstrance against same.....	1343
Petition against bell-punch bill.....	1421

MARRIAGE AND MINORS.

18 Act to amend act entitled "married women".....	57, 64
65 To repeal act to provide for custody of minor children in <i>habeas corpus</i> cases, etc.....	77, 108, 308, 372, 391, 746, 764, 774
128 To prevent marriage without license.....	141, 162
252 To encourage marriage, etc.....	225, 265
287 To amend sec. 2, chap. 113, Gen. Stat., "marriage and marriage contracts".....	253, 281
290 To amend secs. 5 and 6, chap. 113, Gen. Stat., "marriage and marriage contracts".....	274, 294
317 To amend chap. 113, Gen. Stat., "marriage and marriage contracts".....	286, 313
330 Sueing married women.....	306, 314
386 To revise chap. 113, Gen. Stat., "marriage and marriage contracts".....	346, 350, 405, 456, 551, 654, 873, 946, 995
422 To amend Statute, "divorce, alimony and custody of children".....	384, 415, 648
611 For protection of orphans and children of poor parents.....	868, 905, 1091
627 To amend statute, "marriage and marriage contracts".....	889, 907
700 Separate property of married women.....	1041, 1063
Petitions in regard to marriage license law.....	243, 252, 356, 522

MEDICINE AND SURGERY.

83 Act to promote science of medicine and surgery.....	109, 116, 212, 290, 323
185 To amend act to regulate practice of medicine and surgery.....	185, 197, 740
426 To amend act to regulate practice of medicine and surgery.....	400, 416
471 To amend secs. 1 and 2 of act to regulate practice of medicine and surgery.....	492, 534, 882, 1057, 1065
596 To enable physicians to enrol under law.....	779, 813
599 To create a State board of health ..	811
615 To admit H. K. Legg to practice medicine and surgery.....	870, 905, 932, 1102, 1123, 1176, 1197, 1182
680 To regulate practice of medicine and surgery in Pemiscot county.....	1020, 1041, 1106, 1320
686 To create a State board of health.....	1023, 1042

MEDICINE AND SURGERY—Continued.

No.	PAGE
Petition from Hannibal medical society.....	70

MORTGAGES, ETC.

71 Act to repeal statute, "mortgages and deeds of trust".....	82, 115
235 To amend statute, "mortgages," 217, 227, 292, 684, 793,	817
241 To amend statute, "mortgages and deeds of trust".....	218, 228
265 To amend statute, "mortgages," 236,	266
472 To amend statute, "mortgages," 492,	534

MILITIA.

710 Act to amend act for organization and government of Missouri militia.....	1448, 1465, 1469, 1470, 1502, 1505
Report from Committee on Militia (Senate bill No. 277).....	1001

MISCELLANEOUS.

11 Correcting and perfecting laws of this State.....	56, 63, 136, 191, 372, 482, 651, 679, 680, 740
32 To repeal act entitled "Indians." 62, 78, 256, 372,	390
49 To provide for protection of trappers.....	72, 80, 177
50 To repeal act to encourage destruction of rats.....	72, 80, 208, 333, 474, 476
62 To amend sec. 10, Gen. Stat., 1865, "dower".....	77, 108, 1641
67 To provide for enforcement of Constitution and laws.....	77, 108
111 To secure payment for injuries done to person and property, 119,	148
122 To prevent taxing of certain professions by municipal corporations.....	141, 162, 238, 244, 333, 363, 453, 465, 530
137 To amend the practice act in civil cases.....	149, 360
159 To prevent sale of deadly weapons to minors.....	152, 166, 437, 599, 619
177 To encourage destruction of rabbits.....	160, 189
224 Punishment of public officers and trustees for using public moneys for their own profit, etc., 214, 219,	598
258 To protect contractors, employes, etc., employed on public work, 225,	265
262 Repeal of act concerning silver coin.....	226, 266
270 Election of Commissioner of Permanent Seat of Government, 236, 266, 335, 406,	488
272 To prevent loan, sale or gift of weapons to minors.....	237, 267
274 In relation to the insane.....	251, 267

MISCELLANEOUS.—Continued.

No.	PAGE
309 Regulating pawnbrokers.....	285, 312, 431
313 Increased taxation for erecting public buildings.....	286, 312
341 Liens to persons boarding live stock.....	307, 341
365 Compensation of experts testifying in courts of record...320, 343, 409, 439,	525
374 To prevent public officers from gambling.....	326, 344
383 To punish public officers for intoxication.....	340, 350, 437, 525, 618
391 In relation to pawnbrokers.....	348, 385, 480, 692, 839, 948, 1231, 1242, 1277
414 To prevent destruction of timber.. 383, 415, 912, 1029,	1052
415 To amend statute, "weights and measures".....	383, 415, 645
416 To amend act, appeals and writs of error in civil cases.....	383, 415, 636, 750, 821
420 To protect horseshoers.....	384, 415
427 To amend statute, "of offenses against life and person".....	400, 416
428 To protect laborers.....	400, 416, 934
434 To protect shippers of fat hogs and cattle.....	413, 453, 918
436 To provide for refunding State indebtedness.....	413, 454
451 To establish bureau of labor statistics.....	463, 481, 1009, 1102, 1134, 1195
456 To regulate warehouses and storage of grain.....	473, 482, 1174, 1295
465 To amend act to authorize sale of certain land.....	480, 533
467 To prevent public drunkenness.... 533,	1180
474 Sale of property escheated to State.....	493, 534, 670
479 To repeal sec. 2 of act in relation to public institutions.....	502, 535, 998, 1036, 1119, 1125, 1182
490 Payment of wages in lawful money. 545, 573, 1017, 1141,	1166
496 Payment of lost defense warrants.. 570, 600, 781, 868,	1036
497 In relation to bastards, etc.....	570, 600, 912
500 In relation to bastardy.....	571, 601
504 In relation to druggists.....	576, 601, 1142, 1229, 1253
505 To amend act to exempt certain property from taxation.....	583, 601
532 Refunding State debt.....	663, 699
547 To relieve financial wants of State. 691, 735, 761, 762,	825
576 To prevent discharge of firearms in certain places...746, 754, 839, 946, 955, 1231, 1242,	1276
598 For protection of coal miners.....	810, 934, 1093, 1137
605 To permit publishers to introduce testimony in mitigation of damages.....	839, 851
606 To amend act in relation to public institutions.....	840, 904

MISCELLANEOUS.—Continued.

No.	PAGE
611 Protection of orphans and children of poor parents.....	868, 905, 1091, 1387
622 Declaring rebates illegal....	889, 906, 1010, 1103, 1138, 1380, 1419, 1441
640 Appointment of police commissioners, etc.....	919, 931
660 Obtaining certain statistical information.....	985, 1011, 1152, 1229, 1321, 1426, 1515, 1516, 1530, 1574
622 Not necessary to own real estate to hold office.....	997, 1011, 1097, 1203, 1220, 1380, 1404
672 Protection of libraries and museums.....	1013, 1026, 1098
679 To prevent fraud and protect public health.....	1020, 1041, 1114, 1230
688 To amend act of congressional apportionment.....	1029, 1042
698 Concerning masters, apprentices and servants....	1040, 1063, 1319, 1392
Resolutions concerning Official Reporter.....	634, 679
Payment of war claims against State.....	797

OFFICERS.

6 Act to consolidate offices of county collector and treasurer.....	56, 62, 144, 229, 630
8 To regulate compensation of circuit clerks and ex-officio recorders.....	56, 63, 176, 292, 302, 335, 339, 1243, 1244, 1328, 1329
10 In relation to salaries of certain officers.....	63, 154, 216, 316
24 To abolish office of prosecuting attorney, etc.....	61, 74, 212, 226, 309
51 To regulate and limit compensation of county clerks.....	73, 80, 209
84 To repeal chap. 19, "register of lands".....	109, 116, 208, 235, 333, 352
108 To regulate and limit compensation of county clerks.....	118, 148, 215, 372, 392, 393, 751, 814
169 Concerning duties of sheriff and constable.....	160, 188, 514, 654, 751, 814
256 Consolidation of offices of circuit clerk and recorder of deeds...	225, 265, 637
267 To amend statute, "coroners"....	236, 266
432 To amend statute, "county treasurers....."	413, 453, 1122
453 To amend statute, "county surveyors".....	466, 481, 1315, 1371, 1375
464 Employment of deputy clerks of Supreme Court.....	480, 533
491 Separation of offices of county clerk and recorder.....	545, 574, 1008, 1148, 1194, 1201, 1380, 1479, 1403, 1425
492 Filling office of recorder.....	545, 574, 1008, 1131, 1146, 1380, 1479, 1530, 1574
502 To amend statute, "recorder of deeds".....	571, 601

OFFICERS.—Continued.

No.	PAGE
642 Oaths to be administered free of charge by certain officers.....	920, 958, 1008, 1091, 1420, 1441, 1165, 1255, 1352, 1397, 1420, 1441
665 Allowing ex-county collectors one-half commissions on judgments.....	999, 1014, 1128, 1222
668 To require certain officers to pay fees to treasurers.....	1010, 1014
670 Election of criminal sheriff.....	1012, 1026, 1054
678 Compensation of sheriffs of municipalities.....	1020, 1041, 1332, 1407, 1444, 1613, 1624, 1636
708 In relation to county officials.....	1060, 1064
Contingent expenses State officers..	203
Expenses State officers and institutions.....	203
Constitutional amendment concerning clerk of Supreme Court and Court of Appeals.....	840, 907, 1121

PENITENTIARY.

156 Act to provide for formation of drainage districts, and to employ convict labor.....	153, 165, 216, 447, 813, 814, 997, 1030, 1185, 1197
444 To provide for government of penitentiary, etc.....	442, 454, 509, 654, 793, 885, 886, 899, 900, 901, 902, 939, 943, 1364, 1392, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1444, 1483, 1484, 1491, 1559, 1560, 1653
488 To prohibit manufacture of brooms in penitentiary.....	545, 573
Resolution to make penitentiary self-supporting.....	68
Branch penitentiary.....	70
Report of inspectors of penitentiary.....	74
Inquiry into work of convicts in penitentiary.....	129
Governor's message concerning pardons.....	139
Authorizing Warden to contract with P. R. R. Co. for convict labor.....	435
Calling on Warden for report on penitentiary.....	477
Effect of convict labor on mechanic industry.....	479
Concerning Warden of penitentiary.....	841, 872
Reports from committee on penitentiary.....	509, 1616
Report from Warden of penitentiary.....	711
Resolution concerning Warden of penitentiary.....	841
Petitions against interference in contracts for convict labor.....	885, 940
For removal of convicts from Johnson county.....	887, 940

PENITENTIARY.—Continued.

No.	PAGE
Against employment of convict labor outside state prison.....	889, 891
Concurrent resolution to rescind penitentiary contract with Price & Co.....	1420, 1465
Resolution concerning management of penitentiary.....	1522
Convicts to be employed on Capitol grounds.....	1523

RAILROADS.

21 Act to repeal act to regulate charges of railroad companies, etc.....	57, 65
74 To prohibit railroad companies from cleaning stock cars on any but enclosed lands.....	83, 115, 261, 349, 357, 764, 774, 824
90 To compel railroad companies to give receipts for freight.....	112, 119, 402
98 To repeal sec. 7 of act to regulate charges of railroad companies, etc.....	117, 147, 498, 919, 1341
121 Protection against accidents on railroads.....	197, 213, 261
229 Protection of persons at railroad crossings of highways.....	214, 220
237 Requiring railroad companies to build and maintain bridges at highway crossings.....	217, 228, 261
259 To amend act to regulate charges of railroad companies, etc.....	226, 265
263 To amend act to amend sec. 12 of act for assessment of railroad property.....	225, 266
285 To amend act to amend chap. 63, Gen. Stat., "railroad companies".....	254, 281
292 To amend sec. 16 of act to regulate charges of railroad companies, etc.....	274, 294, 466, 599
293 To prescribe charges on palace cars, etc., on railroads.....	274, 294
302 To regulate street railroad fare.....	278, 295, 402
347 To amend act to regulate railroad charges.....	308, 341
392 To amend chap. 63, Gen. Stat., "railroad companies".....	348, 385, 1055
435 To amend act to regulate charges of railroad companies.....	413, 532
443 To suppress disorderly conduct on passenger trains.....	442, 454
507 To amend act to regulate charges of railroad companies, etc.....	584, 601, 1055, 1081
526 Regulating conduct of street railroads.....	630, 642, 974
552 To repeal act concerning street railroads in St. Louis.....	714, 735, 1098, 1132, 1149, 1196, 1380, 1400, 1401, 1625, 1626
553 To classify railroads.....	721, 735, 761, 981, 1117, 1160, 1407, 1509, 1510, 1511

RAILROADS.—Continued.

No.	PAGE
563 In relation to judgments against railroad companies.....	727, 752, 925
565 To abolish the office of Railroad Commissioner.....	727, 753
574 Charges for passengers and freight on railroads.....	739, 753, 778, 796
583 To amend act to regulate charges of railroad companies.....	760, 795, 1055, 1141, 1221
677 To prevent removal of machine shops, etc., by railroad companies.....	1017, 1027
Aid to Southwest branch and Mo. Pacific.....	68, 607
Railroad indebtedness of counties and townships.....	184
Concerning lands donated for I. M. R. R.....	380
Committee to inquire into affairs of H. & St. Jo. R. R.....	1038, 1328
Texas Pacific railroad bill in Congress.....	325, 345
Relating to Hannibal & St. Jo. R. R.....	
Communication from Railroad Commissioners to House.....	233
Minority report from St. Louis Delegation on street railroad bill.....	1098
Report of special committee on H. & St. Jo. R. R.....	1328
Petitions for extending railroad charters.....	714, 1037, 1038, 1043, 1060, 1061, 1096
For abolishing railroad commission.....	760
For repeal of street railroad law of 1860.....	870, 871, 889, 907, 985, 999, 1096
Remonstrance against repeal of same.....	871
Acts repealing and amending act to regulate charges of railroad companies, and provide for appointment of railroad commissioners.....	(21), 57, 65—(98), 117, 147, 919, 498, 1341—(259), 226, 265—(292), 274, 294, 466, 599—(347), 308, 341—(435), 413, 532—(507), 584, 601, 1055, 1081—(583), 760, 795, 1055, 1141, 1221
565 To abolish the office of Railroad Commissioner.....	727, 753
Petition to abolish the office of Railroad Commissioner.....	760

REAL ESTATE.

86 Act regulating sale of land under deed of trust and mortgage.....	112, 119
117 Relating to deeds of trust and mortgages.....	140, 161
135 To amend sec. 1, chap. 3, Gen. Stat., "homestead".....	143, 163
136 To exempt mortgaged real estate from taxation.....	143, 163

REAL ESTATE—Continued.

No.	PAGE
163 To relieve from taxation, property encumbered by mortgages and deeds of trust.....	153, 166
174 To repeal chap. 11, Gen. Stat., "homesteads," etc.....	160, 189
244 Sale of real estate of insane persons.....	217, 228
295 To amend sec. 1, art. 1, chap. 35, Wag. Stat., "conveyance of real estate".....	274, 294
326 To repeal act concerning partition of lands in St. Louis county... 305, 314, 331, 449, 557, 746,	764
340 To amend sec. 53, chap. 165, Gen. Stat., "quieting title to real property".....	307, 340
506 To provide for redemption of real estate.....	583, 601
520 In relation to redemption of land..	617, 641
550 Redemption of real estate sold under mortgage.....	705, 735, 846, 1007, 1051
630 Permitting sales of real estate at real estate exchanges.....	907, 937, 999, 1346, 1502, 1503, 1504, 1611, 1613, 1624, 1654
633 In relation to sales of real estate in cities of 100,000 inhabitants....	907, 937, 999, 1346, 1488, 1502, 1504, 1623, 1655
662 Declaring it not necessary to own real estate to hold office....	997, 1011, 1097, 1203, 1220, 1380, 1404, 1425

REGISTER OF LANDS.

Communication from Register of Lands.....	231
Concerning report of committee to settle with Auditor and Treasurer, and examine office of Register of lands.....	1319, 1339

RELIEF AND BENEFIT.

119 Act for relief of Henry DeBolt, 140, 161, 512, 694, 701, 1613, 1624, 1625, 1653	
162 For relief of W. D. Bishop.....	153, 166, 309
206 For relief of Philip Zeal....	187, 199, 526, 553, 667, 696, 1380, 1404, 1425
210 For relief of A. J. Adkins....	188, 199, 730, 858, 861
225 For relief of J. A. S. Tutt.....	214, 219, 517, 670, 676, 1242, 1277
228 To reimburse St. Louis National Guard.....	214, 220
242 To relieve Wm. Matthews & Co., 218, 228, 517, 552	
216 To relieve L. C. Lohman....	285, 313, 1115
319 Relief of H. Lindsay.....	286, 313, 1464, 1465
320 To pay G. W. Gordon for property lost.....	285, 313, 637

RELIEF AND BENEFIT—Continued.

No.	PAGE
448 Relief of Sullivan & Dodd....	447, 455, 1192, 1206
461 Relief of S. W. Smith and J. R. Jones.....	479, 533, 1115, 1260, 1300
480 Payment of P. J. Diercks....	502, 535, 782
538 Relief of Julia L. Ivie....	676, 699, 731, 858, 1058, 1467, 1492, 1574
578 Relief of A. J. Curnutt.....	747, 754, 1010
579 Relief of heirs of Wm. Riggins..	747, 754, 1115
639 Granting pension to F. Miller....	919, 938, 1165, 1287, 1323
648 Relief of J. G. McClaren....	921, 959, 1141, 1216, 1233, 1467, 1491, 1535
657 Relief of Thomas Wallace....	953, 960, 1115, 1217, 1318, 1550, 1570, 1654
683 To pay salary of T. B. English, 1020, 1041, 1151, 1223, 1334, 1438, 1452, 1453, 1493	
689 Relief of L. H. Linville....	1032, 1042, 1140, 1217, 1335, 1372

REVENUE.

47 Act to amend sec. 65 of act "assessment and collection of revenue".....	72, 80
52 To amend act to amend act, "assessment and collection of revenue"...	73, 80, 209, 306, 321, 359, 523, 535, 590
53 Concerning collection of revenue for 1878.....	73, 80, 81
56 To amend sec. 8 of act for collection of delinquent taxes.....	73, 81
81 To amend act for taxing and licensing manufacturers.....	83, 116
94 To amend sec. 8 of act for collection of delinquent taxes, etc.,	113, 120
95 To change time of paying taxes,	113, 120, 209
107 Taxing express companies.....	118, 148
124 To amend act to provide for collection of delinquent taxes, etc.,	141, 162
125 To amend act to amend act concerning assessment and collection of revenue.....	141, 162
154 To amend sec. 149 of act "assessment and collection of revenue," etc.....	152, 165, 210, 260, 369, 371, 378
170 To amend act to provide for collection of delinquent taxes, etc.....	160, 188
197 To amend act to provide for collection of delinquent taxes....	187, 198
203 To equalize taxation and increase revenue.....	186, 199, 263
234 To repeal sec. 11 of act to amend act concerning assessment and collection of revenue, etc.,	217, 227, 244, 372, 483, 631
238 To amend sec. 11 of act amending act concerning assessment and collection of revenue..	218, 228

REVENUE—Continued.	
No.	PAGE
246 For the collection of delinquent taxes, etc.....	217, 229
248 To regulate assessment of notes, bonds, mortgages, etc.....	224, 264
250 To amend acts of March 30, 1872, and April 28, 1877, and abolish office of county assessor.....	225, 264
276 To amend act "assessment and collection of revenue".....	251, 267
296 To amend sec. 87 (86) of act concerning assessment and collection of revenue.....	274, 294, 329, 351, 1018, 1131, 1143
301 Duties of county assessors.....	275, 295, 663, 685, 867, 1007
308 To provide for levy of poll-tax.....	385, 312, 1152, 1164, 1317
310 Collection of revenue in cities of 20,000 inhabitants, etc.....	285, 312
311 In relation to assessment and collection of revenue.....	285, 312, 771
332 To amend sec. 7 of act for collection of delinquent taxes.....	306, 315
334 Assessment of notes, bonds, bills, etc.....	305, 315
335 To classify property for taxation.....	306, 315, 637, 751, 814
343 To regulate payment of warrants on revenue fund.....	307, 341
349 To amend sec. 66 of revenue law.....	308, 342
350 To authorize issue of loan revenue bonds ...	309, 342, 934, 986, 1001, 1007, 1107, 1202, 1258, 1280, 1281
369 To create sinking fund to pay State and municipal debts.....	320, 344, 565
405 To enable cities, towns, villages and school districts to collect delinquent taxes	368, 387, 439
470 To amend act to provide for collection of delinquent taxes.....	492, 534, 779, 863, 872, 1016, 1271, 1395, 1408
483 To amend statute of "Revenue".....	512, 535
529 To amend act for collection of delinquent taxes.....	645, 666
569 To facilitate collection of taxes on personalty.....	738, 753
573 To amend statute "Revenue".....	739, 753
591 Regulating assessment of notes, etc.....	778, 813
603 To regulate assessment and collection of taxes on boats and vessels.....	859, 857, 1016, 1017, 1180, 1243, 1282, 1426, 1433, 1592
614 To amend act concerning assessment and collection of revenue.....	868, 905
632 To amend sec. 27, chap. 13, Gen. Stat., "Collection of revenue," etc.....	907, 937
641 To suspend legal proceedings in collection of delinquent taxes.....	919, 938

REVENUE.—Continued.	
No.	PAGE
653 To amend act to provide for collection of delinquent taxes.....	932, 960
693 To raise State revenue.....	1040, 1062, 1228
694 To amend act to provide for collection of delinquent taxes.....	1040, 1062
705 To amend statute, "assessment and collection of revenue".....	1051, 1064
707 To impose tax on incomes.....	1052, 1064
120 To amend act to provide for collection of delinquent taxes, etc.....	141, 161
138 To provide for taxing and licensing manufacturers.....	149, 163
Resolution to abolish State Board of Equalization	116
To change time of penalty for non-payment of taxes.....	69
Tax on manufactures.....	69
Delinquent taxes under act of April 12, 1877.....	940
Petitions for modification of revenue law.....	725, 752

REVISION.

709 Act declaratory of revised statutes.....	1341, 1352
Declaring the present a revising session.....	55, 64
Revision committee.....	56, 84
Four of house revision committee to be farmers.....	75
Sense of House on plan of revision	579
Revision work to take precedence	748
Certain hours to be devoted to revision work.....	748
Revision to be done regardless of compensation.....	749, 1205
Report of Joint Committee on Revision	1026
Consideration of revision bills.....	1309
Special committee on revision.....	146, 156, 158, 167, 239, 249, 582
Expenses of revision committee.....	304, 315, 333, 448, 655, 656
Revision of General Statutes.....	368, 378, 381, 388, 453, 460
In relation to revision.....	150, 190, 1326
Reports from special committee on revision.....	145, 364
Reports from Joint Committee on Revision.....	580, 591, 592, 603, 604, 635, 668, 674, 693, 729, 730, 768, 781, 818, 819, 820, 862, 915, 928, 1091, 1243, 1274, 1303

ROADS, HIGHWAYS AND BRIDGES

19 Act to amend sec. 20 of act "roads and highways".....	57, 64, 178
25 Supplementary to act "roads and highways," etc.....	61, 77, 177, 178
69 To amend act in relation to roads and highways.....	77, 109, 158

ROADS, ETC.—Continued.

No.	PAGE
105 To amend act entitled "roads and highways".....	118, 147, 258
113 In relation to toll on turnpike, plank and macadamized roads, 140, 161, 237, 349, 361	
155 To amend sec. 20 of act "roads and highways," etc....	152, 165, 244, 349, 536
161 To amend secs. 4, 9 and 10, chap. 23, Wag. Stat., "bridges,"	153, 166, 309
184 To amend act in relation to roads and highways.....	185, 197, 1075
195 To amend sec. 28 of general law "roads and highways"....	168, 198
219 To amend act in relation to roads and highways, etc.....	196, 213, 328, 449, 540, 541
283 To amend sec. 4 of act in relation to roads and highways..	253, 280, 573
288 Collection of road taxes.....	254, 281
298 Election of road overseers.....	274, 295, 328
303 To amend act "roads and highways".....	278, 295, 513, 582
325 To repeal act for establishing and repair of roads in St. Louis county....	305, 314, 332, 450, 556, 763, 775, 841
327 To repeal act in regard to establishing and improving roads in St. Louis county....	305, 314, 331, 406, 558, 753, 767, 777, 841
331 To amend sec. 20 of act in relation to roads and highways....	306, 314
355 To revise chap. 64, Gen. Stat., "macadamized, graded and plank road companies".....	319, 342, 1010
367 To repeal act to work roads in St. Louis county....	321, 343, 389, 525, 563, 764, 774, 841
390 To amend section 11 of act "roads and highways"....	348, 385, 1025, 1132, 1144
521 To amend act in relation to roads and highways.....	618, 641, 1018, 1141, 1168
558 To amend act in relation to roads and highways.....	721, 736
585 To amend act in relation to roads and highways.....	761, 795, 1025
618 To amend act in relation to roads and highways.....	870, 906
671 In relation to locating and establishing roads.....	1013, 1026
Reports from Committee on Roads and Highways.....	144, 158, 177, 178, 237, 244, 258, 308, 326, 328, 513, 573, 890, 1010, 1018, 1025
Senate sub. for Senate bills 245, 152 275, 317 and 89—act to amend general law in relation to roads and highways.....	1337, 1343, 1362

SALES AND PUBLICATIONS.

No.	PAGE
68 Act declaring law journals to be newspapers.....	77, 109, 468
123 To provide for affidavits and certificates of publication.....	141, 162, 883, 913
176 To prohibit publication of lottery advertisements, etc....	160, 189, 699, 939, 1032, 1095, 1118
277 To amend statute "publication of judicial notices".....	252, 280
284 To require publication of county court proceedings, etc....	253, 281, 1365, 1636
324 To repeal act relating to judicial sales in St. Louis county....	305, 314, 330, 406
630 To amend sec. 31, chap. 122, Gen. Stat., so as to permit sales of real estate at real estate exchange....	907, 937, 999, 1346, 1502, 1503, 1504, 1611, 1613, 1624, 1654
633 To amend sec. 42, chap. 160, Gen. Stat., in relation to sales of real estate in cities of 100,000 inhabitants....	907, 937, 999, 1346, 1488, 1502, 1504, 1623, 1655
656 To authorize sale of property escheated to State	951, 960
701 Publication of judicial notices in cities of more than 100,000 inhabitants....	1041, 1063, 1110, 1229, 1538, 1491, 1535
711 Publication of judicial notices and other matter....	1460, 1465, 1485, 1502, 1503, 1557, 1594, 1613, 1624, 1636
Petitions for legal sales of real estate, to be made at real estate exchange, St. Louis.....	1000, 1242

STATUTES.

589 To repeal sec. 43 of supplement to Wag. Stat., "county surveyors".....	761, 796, 1333
600 To amend sec. 50, chap. 116 "curators, guardians and wards".....	811
610 To amend chap. 212, "proceedings before trial".....	857, 905, 951
630 To amend sec. 31, chap. 122....	907, 937, 999, 1346, 1502, 1503, 1504, 1613, 1624, 1654
631 To amend sec. 31, chap. 38....	907, 937, 1114, 1203, 1223
633 To amend sec. 42, chap. 160....	907, 937, 999, 1488, 1502, 1504, 1613, 1623, 1655
647 To amend sec. 1, chap. 16.....	921, 959, 1283, 1333, 1405, 1550, 1569, 1657
654 To repeal certain sections of chap. 2, (1865).....	940, 960
669 To amend secs. 14 and 17, chap. 57,	1011, 1014
681 To amend sec. 13, chap. 7.....	1020, 1041

STATUTES.—Continued.

No.	PAGE
698 To amend chap. 117, "masters, apprentices and servants" 1040, 1063, 1319	
703 Amendatory of sec. 9, chap. 109, 1045, 1063	
709 Declaratory of Revised Statutes and their effect. 1341, 1352, 1421, 1422, 1423, 1424, 1446, 1447, 1592, 1604, 1603, 1606, 1607, 1608, 1609, 1610, 1611, 1626, 1641, 1653	

SUPERINTENDENT SCHOOLS.

Report of School Superintendent..	74
Information asked of School Superintendent concerning Normal Schools.....	433, 434
Information asked of School Superintendent as to names and teachers in Normal Schools.....	441
Same as to State University.....	511
Other communications from School Superintendent.....	233, 493, 497, 520, 544

SEAT OF GOVERNMENT.

Submission of constitutional amendment for removal of capital to Sedalia...	339, 350, 1198, 1218, 1228, 1266, 1267
Reports from Committee on Permanent Seat of Government,	335, 809, 915, 1116

SECRETARY OF STATE.

Communication from Secretary of State, transmitting list of members elect of the 30th General Assembly	3
Secretary of State to furnish members with General Statutes.....	55
Secretary of State to furnish members with Wagner's Statutes...	380
Rescinding resolution for Secretary of State furnish copies of Wagner's Statutes.....	491
Secretary of State to furnish Revision Committee with certain books.....	546
Communications from Secretary of State to House.....	241, 446, 502

ST. LOUIS CITY.

150 Act to repeal act to establish a corporation in the city of St. Louis.....	151, 165
191 To repeal act in relation to social evil hospital, etc.....	186, 198, 275, 372, 452, 746, 754, 788, 837, 841
564 To amend act to restrain domestic animals from running at large in the city and county of St. Louis, etc.....	727, 752

ST. LOUIS CITY.—Continued.

No.	PAGE
678 Regulating compensation of sheriffs of municipalities in this State, (city of St. Louis)...	1020, 1041, 1332, 1407, 1613, 1624, 1636
Memorial concerning police commissioners.....	333
Communication from St. Louis House of Delegates.....	1092

STRAYS.

118 Act to amend secs. 1 and 40 of act concerning posting of strays, etc.....	140, 161, 211
142 To amend sec. 1 of act to prescribe manner of posting strays, etc.....	151, 164, 211
286 To amend sec. 34 of act to prescribe manner of posting strays, etc.....	253, 281
306 Concerning strays.....	285, 312
441 To amend act to prescribe manner of posting strays, etc.....	442, 454, 526, 669, 697
442 To abridge and amend stray law...	442, 454
Petition concerning strays.....	319

SWAMP LANDS.

48 Act to amend act for repayment of purchase money by counties in cases of erroneous sales of swamp lands.....	72, 80, 254, 373, 391
156 To provide for formation of drainage districts, etc.....	153, 165, 216, 447, 813, 814, 997, 1030, 1185, 1197, 1232
222 To amend chap. 84, art 3, Wag. Stat., "Swamp lands".....	197, 213, 254, 349, 541, 834, 1013, 1023, 1039
533 Transferring records of swamp land patents.....	663, 699, 781, 939, 936, 1095, 1160, 1354, 1392, 1465, 1475
534 Authorizing county courts to correct swamp land entries.....	663, 699, 847, 945, 987, 1095, 1118, 1127
Memorial to Congress concerning swamp lands.....	319

TREASURY AND TREASURER.

1 Act relating to State Treasury..	52, 62, 136, 200, 258, 259, 453, 506, 536, 537, 550
61 Relating to State Treasurer.....	77, 108
Investigation of condition of State Treasury.....	52, 53
Report of State Treasurer.....	73
Committee to investigate affairs of Treasurer.....	74
Impeachment of Treasurer.....	268, 445, 631, 708

TREASURY, ETC.—Continued.	
No.	PAGE
Expenses of Treasury investigating committee.....	273, 318
Substitute for resolution to impeach Treasurer.....	445
Resolution to print testimony in Treasury investigation.....	450, 451
To print additional copies report of Treasury investigation.....	523
Report of Treasury investigation made special order.....	545
To expunge certain lines in Treasury investigation report....	629, 634, 714
Concerning articles of impeachment of Treasurer.....	690
Inquiry as to revenue fund at time of failure of Mastin bank.....	842
Report from committee on impeachment of Treasurer.....	891
Consideration of impeachment of Treasurer	898, 971, 1045, 1067
Concerning deposit of State money in tanks by Treasurer	958
Expense of Treasury investigation.....	1173
Report of committee to settle with Auditor and Treasurer.....	68
Reports from Treasury investigating committee.....	183, 204, 419
Communications from Treasurer to House.....	223, 434, 937, 1489
58 Concurrent resolution concerning report of committee to settle with Auditor and Treasurer and examine office of register of lands..	1319, 1339, 1544, 1550, 1564

TREASURY, ETC.—Continued.	
No.	PAGE
Treasurer and Auditor to submit statements regarding condition of Treasury.....	1379
House committee to settle with Treasurer under Senate bill 369.....	1650
TOWNSHIP ORGANIZATION.	
209 Act to provide for organization of counties into municipal townships, etc.	186, 199, 461, 654, 989, 1290, 1339, 1433, 1475
218 To provide for township organization.....	196, 213, 461, 654, 989, 1290, 1339, 1433, 1475
236 To provide for organization of municipal townships, etc.....	219, 228, 461, 654, 989, 1290, 1433, 1475
545 Authorizing counties which adopted township organization to pay debts of townships	691, 735, 1506, 1527, 1541, 1542
For re-enacting township organization law.....	55
Concerning township organization.....	112
Increase of Committee on Township Organization.....	140
Report from Committee on Township Organization.....	461
Petitions for township organization.....	223, 297, 381, 383, 398, 414, 436, 522, 544, 570, 644, 714, 958

Senate Business in House.

No.		PAGE
4	An act to enable counties, cities, towns and townships to fund their bonded indebtedness.....	156, 207, 221, 286
5	Substitute for Senate bills Nos. 5, 45, 148 and 156, an act to prohibit officers or agents of State, and other persons, from negotiating, assigning, transferring or hypothecating bonds of school or seminary funds.....	702, 704
148		736, 770, 827, 923, 1160, 1175
156	Substitute for Senate bills Nos. 10, 29 and 32, an act to control forfeiture of life insurance policies.....	1515, 1521, 1530, 1542, 1552, 1553, 1600, 1602, 1640
10		
29		
32	An act regulating the interest of money.....	333, 345, 350, 671, 757, 758, 759, 766, 767
12	An act to create a commission to assist the Supreme Court in disposing of causes now pending.....	170, 207, 220, 263, 300
21	An act authorizing railroad companies to recover from the Pullman Palace Car Company certain taxes.....	194, 207, 221, 286, 595, 603, 747, 866, 872
27		
42	An act to amend sec. 53, chap. 165, Gen. Stat., "Practice in civil cases" 191, 207, 220, 287, 660	
44	An act to promote the science of medicine and surgery.....	218, 230, 281, 512, 656
46	Substitute for Senate bills Nos. 46 and 123, an act to classify property for taxation.....	763, 794, 813, 843, 883, 913
123	(Substitutes 1 to 30 inclusive) title 33, Gen. Stat., 686, 700, 704, 737, 763, 781, 783, 784, 785, 786, 794, 797, 798, 799, 800, 811, 812, 813, 838, 848, 852, 853, 854, 856, 858, 862, 863, 866, 872, 873, 874, 879, 885, 908, 909, 910, 911, 930, 931, 936, 952, 961, 976, 977, 979, 980, 985, 991, 992, 1000, 1011, 1013, 1021, 1071, 1076, 1082, 1086, 1089, 1104, 1113, 1119, 1127, 1130, 1136, 1146, 1150, 1151, 1161, 1190, 1193, 1196, 1199, 1219, 1232, 1236, 1241, 1248, 1250, 1253, 1257, 1267, 1271, 1277, 1288, 1289, 1314, 1324, 1359, 1379, 1385, 1387, 1393, 1398, 1425, 1430, 1431, 1446, 1529, 1535, 1585, 1593, 1600, 1612, 1613, 1640, 1652	
52	An act to revise and amend title 44, chap. 193, Gen. Stat., "Arbitrations and references".....	218, 230, 263, 281, 566, 580, 673, 696
54	An act to revise title 10, Gen. Stat., "Public records".....	418, 455, 473, 531, 675, 715
55	An act to revise and amend chaps. 114 and 115, Gen. Stat., "Divorce, alimony and custody of children,".....	404, 416, 456, 566, 567, 580, 617, 674, 675, 695, 903
56	Substitute for Senate bills Nos. 57 and 108, an act to revise and amend title 30, Gen. Stat., "Voluntary assignments,".....	1119, 1125, 1151, 1268, 1269, 1306, 1336
57	Substitute for Senate bill No. 58, an act to amend title 36, chap. 174, Gen. Stat., "Publication of judicial notices," etc.....	1284, 1316, 1318, 1327, 1396, 1429
108	An act to revise title 43, Gen. Stat., "Mechanics' liens, etc.,".....	418, 455, 473, 566, 591, 740, 768, 769, 860, 861, 1163, 1164, 1199, 1215, 1232, 1248
59	Substitute for Senate bills Nos. 60 and 204, an act to amend title 34, Gen. Stat., "Practice in civil cases".....	690, 700, 736, 766, 862, 875, 929, 930, 1079, 1119, 1120, 1199, 1221, 1234, 1236, 1263, 1266, 1330
60		
204	An act to revise chaps. 175, title 37, Gen. Stat., "Oaths and affirmations".....	227, 281, 316, 408, 580, 802, 838
61		
62	An act to revise and amend statute concerning real estate.....	628, 641, 649, 666, 681, 693, 730, 803, 804, 843, 884, 904
64	Substitute (in part) for Senate bill No. 64, act to revise and amend title 51, chap. 224, Gen. Stat., "construction of statutes and legal phrases".....	1383, 1387, 1398, 1492, 1543
65	Substitute for Senate bills Nos. 65 and 287, an act to revise and amend act to provide for support of the poor.....	1253, 1271, 1288, 1311, 1357, 1516, 1585, 1603, 1613, 1643
287		

No.		PAGE
67	Substitute No. 1 for Senate bill No. 67, act to amend chaps. 31 and 32, Gen. Stat., "salaries and fees".....	1379, 1387, 1399, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1632, 1637, 1644
68	An act to revise and amend title 20, chap 55, Gen. Stat., "foreble entry and detainer".....	289, 316, 345, 890, 891, 915
	Substitute No. 1 for Senate bill No. 69, an act relating to incorporation of scientific, benevolent and other associations.....	1458, 1464, 1466, 1547, 1548, 1584, 1631
69	Substitute No. 2 for Senate bill No. 69, an act for incorporation of mutual saving fund, loan and building associations.....	1478, 1479, 1506, 1533, 1534, 1548, 1597, 1651
69	Substitute for Senate bills Nos. 69, 51, 214 and 230, an act to revise and amend act to provide for organization and conduct of savings banks, etc.....	1302, 1316, 1327, 1533, 1534, 1535, 1550, 1631
51		
214		
230		
70	Substitute for part of Senate bill No. 70, "corporations".....	1404, 1419, 1432, 1507, 1512, 1513, 1539, 1555, 1557, 1641
71	An act to revise and amend title 39, Gen. Stat., "foreble entry and detainer".....	627, 649, 666, 680, 730, 805, 872
71	Substitute No. 2 for Senate bill No. 76, an act to amend law relating to normal schools.....	1369, 1372, 1374, 1460, 1461, 1543
72	An act to revise title 40, Gen. Stat., "landlords and tenants".....	571, 649, 666, 680, 819, 866
73	Substitute for Senate bill No. 73, an act to revise and amend act regulating jurisdiction of justices of the peace.....	1231, 1249, 1266, 1303, 1304, 1305, 1370
74	Substitute for Senate bills Nos. 74 and 212, an act to revise and amend title 18, chap. 50, Gen. Stat., "saline, State and seminary lands".....	702, 705, 737, 829, 846
212		
75	Substitutes 1 and 2 for Senate bill No. 75, an act to revise and amend chaps. 2 and 3, Gen. Stat., "popular elections" and "congressional districts".....	1382, 1386, 1387, 1386, 1387, 1398, 1399, 1461, 1508, 1509, 1520, 1539, 1559, 1631
76		
35		
183	Substitute No. 1 for Senate bills Nos. 76, 35, 183, 200, 213 and 259, an act to revise and amend laws relating to public schools.....	1302, 1316, 1328, 1369, 1405, 1406
200		
213		
259		
77	Substitute No. 1 for Senate bills Nos. 77 and 158, an act to revise and amend chaps. 4, 6 and 8, Gen. Stat., "Legislative proceedings".....	1352, 1356, 1361, 1566, 1567, 1568, 1640, 1644
158		
77	Substitute No. 2 for Senate bills Nos. 77 and 158, an act to revise and amend chap. 7, Gen. Stat., "custody, publication and distribution of laws and journals".....	1321, 1323, 1327, 1396, 1397, 1429
158		
78	An act to revise and amend title 35, chap. 173, Gen. Stat., "costs in civil cases".....	702, 704, 737, 801, 846
79	Substitute for Senate bill No. 79, an act to revise and amend title 1, Gen. Stat., "State census".....	1338, 1343, 1361, 1482, 1542
81	An act to revise chap. 192, Gen. Stat., concerning boatmen.....	543, 551, 567, 571, 581, 592, 593, 649, 666, 680, 730, 806, 807, 808, 842, 884, 885
82	substitutes 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13 and 15 for Senate bill No. 82, to revise title 26, Gen. Stat., "trades and business".....	873, 874, 866, 908, 931, 936, 961, 975, 978, 979, 980, 985, 986, 1000, 1021, 1024, 1043, 1054, 1062, 1067, 1085, 1087, 1088, 1096, 1121, 1302, 1316, 1321, 1323, 1327, 1328, 1358, 1359, 1361, 1467, 1468, 1469, 1478, 1479, 1485, 1487, 1488, 1506, 1521, 1525, 1539, 1540, 1543, 1545, 1546, 1584, 1596, 1632
84	An act to revise title 7, chap. 15, Gen. Stat., "State Library".....	347, 351, 397, 471, 595, 635, 661, 662, 743
85	Substitute for Senate bill No. 85, an act to revise and amend title 6, chap. 14, Gen. Stat., "State interest and sinking fund".....	1526, 1542, 1545, 1601, 1643
86	Substitute for Senate bills Nos. 86 and 207, an act to revise and amend title 4, chap. 10, Gen. Stat., "treasury department".....	1007, 1013, 1033, 1245, 1264, 1300, 1303, 1314, 1356, 1389, 1426, 1451, 1466, 1529
207		
87	Substitute for Senate bill No. 87, an act to revise and amend title 5, Gen. Stat., "assessment and collection of revenue".....	1358, 1360, 1363, 1564, 1568, 1569, 1570, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1611, 1638
88	Substitute for Senate bill No. 88, an act to revise and amend title 17, chap. 48, Gen. Stat., "swamp lands".....	1438, 1463, 1466, 1511, 1512, 1631

No.		PAGE
	Substitute No. 1 for Senate bill No. 90, an act to revise and amend chap. 18, Gen. Stat., "attorney-general and prosecuting attorneys"....	1358, 1360, 1361, 1448, 1514, 1515, 1530, 1550, 1551, 1552, 1594
90	Substitute No. 2 for Senate bill No. 90, and act to amend chap. 24, Gen. Stat., "clerks of courts of record".....	1358, 1360, 1363, 1383, 1384, 1494, 1495, 1550, 1551, 1552, 1559
	Substitute No. 3 for Senate bill No. 90, an act to revise and amend chap. 17, Gen. Stat., "Secretary of State".....	1358, 1360, 1362, 1383, 1384, 1458, 1521
92	Substitute for Senate bills Nos. 92 and 93, an act to revise and amend code of criminal procedure, etc.....	1231, 1249, 1266, 1365, 1385, 1386, 1387, 1388, 1425, 1491
93	Substitute for Senate bill No. 95, an act to amend secs. 1 and 7, Gen. Stat., 1865, "coroners and inquests on the dead".....	1284, 1316, 1327, 1347
95	Substitute in part for Senate bill No. 95, an act to amend title 25, chap. 79, Gen. Stat., "diseased animals".....	1338, 1343, 1362, 1628, 1629, 1641
98	An act to revise and amend chap. 107, Gen. Stat., "fraudulent conveyances,"	686, 700, 737, 779, 818, 866
99	Substitute for Senate bill No. 99, an act to revise and amend secs. 1 and 107, Gen. Stat., "county boundaries".....	1359, 1360, 1362, 1434, 1548
	Substitute No. 2 for Senate bill No. 100, an act to revise and amend act to provide for government of cities of third class.....	1021, 1043, 1062, 1491
100	Substitute No. 3 for Senate bill No. 100, an act to revise and amend act to provide for classification of cities and towns.....	1064, 1076, 1113, 1437, 1439, 1440, 1522
	Substitute No. 6 in part for Senate bill No. 100, an act relating to city, town and other plats.....	1338, 1343, 1363, 1495, 1496, 1507, 1538, 1593, 1643
	Substitute for Senate bill No. 101, an act to revise and amend chap. 35, Gen. Stat., "organization of counties".....	1007, 1013, 1034, 1056, 1096
101	Substitutes 1 and 2 for Senate bill No. 101, an act to revise and amend chaps. 36 and 37, Gen. Stat., "county buildings," and "removal of county-seats" ...	1021, 1043, 1062, 1108, 1109, 1136, 1197, 1240, 1248, 1266, 1471, 1472, 1497, 1595
101	Substitute No. 4 for Senate bills Nos. 101 and 18, an act to revise and amend chap. 38, Gen. Stat., "county treasurers".....	1095, 1122, 1125, 1217, 1248
102	Substitute for Senate bill No. 102, an act to revise and amend title 14, Gen. Stat., relating to insane and other persons incapable of managing their affairs.....	1359, 1360, 1363, 1435, 1491
103	Substitute for Senate bill No. 103, an act to revise and amend title 32, Gen. Stat., "estates of deceased persons" 1389, 1399, 1432, 1503, 1522, 1523, 1524,	1525, 1550, 1632
104	An act to authorize counties to hold elections to incur bonded indebtedness, etc.....	372, 396, 417, 439, 484, 583, 605, 653
116	An act to repeal act to provide for custody of minor children.....	289, 316, 345, 408, 658, 687
121	An act to amend sec. 48, chap. 121, Gen. Stat., "executors and administrators".....	299, 316, 345, 468
122	An act to amend sec. 21, chap. 110, art. 12, Wag. Stat., "new trials, arrest of judgments, appeals, and clerks' duties," etc.....	299, 316, 345, 496
125	An act to amend secs. 2, 3, 4 and 9 of act to revise and amend laws in relation to public schools in cities, towns and villages.....	543, 550, 567, 638, 658, 700, 725
127	Substitute for Senate bills Nos. 127 and 146, an act to appropriate money for payment of W. S. Thompson, John L. Herndon, and Kate C. Mitchell, for outstanding U. M. Bonds.....	756, 794, 812, 1116, 1140
146		
130	An act to amend sec. 42 of act dividing State into judicial circuits, etc.....	289, 345, 351, 408, 471, 595, 604, 637
131		
132		
133		
134		
136	Substitute No. 1 for Senate bills Nos. 131, 132, 133, 134, 136, 137, 140, 142, and in part for No. 100, an act for government of cities of fourth class.....	1065, 1076, 1113, 1438, 1439, 1466, 1515, 1531, 1561, 1584, 1631
137		
140		
142		
pt.		
100		
138	An act directing State Board of Assessment and Equalization to assess, adjust and equalize railroad property, etc.....	756, 794, 811, 917, 945
139	An act to amend act to establish Twenty-Fourth Judicial Circuit.....	373, 396, 417, 468, 667, 696

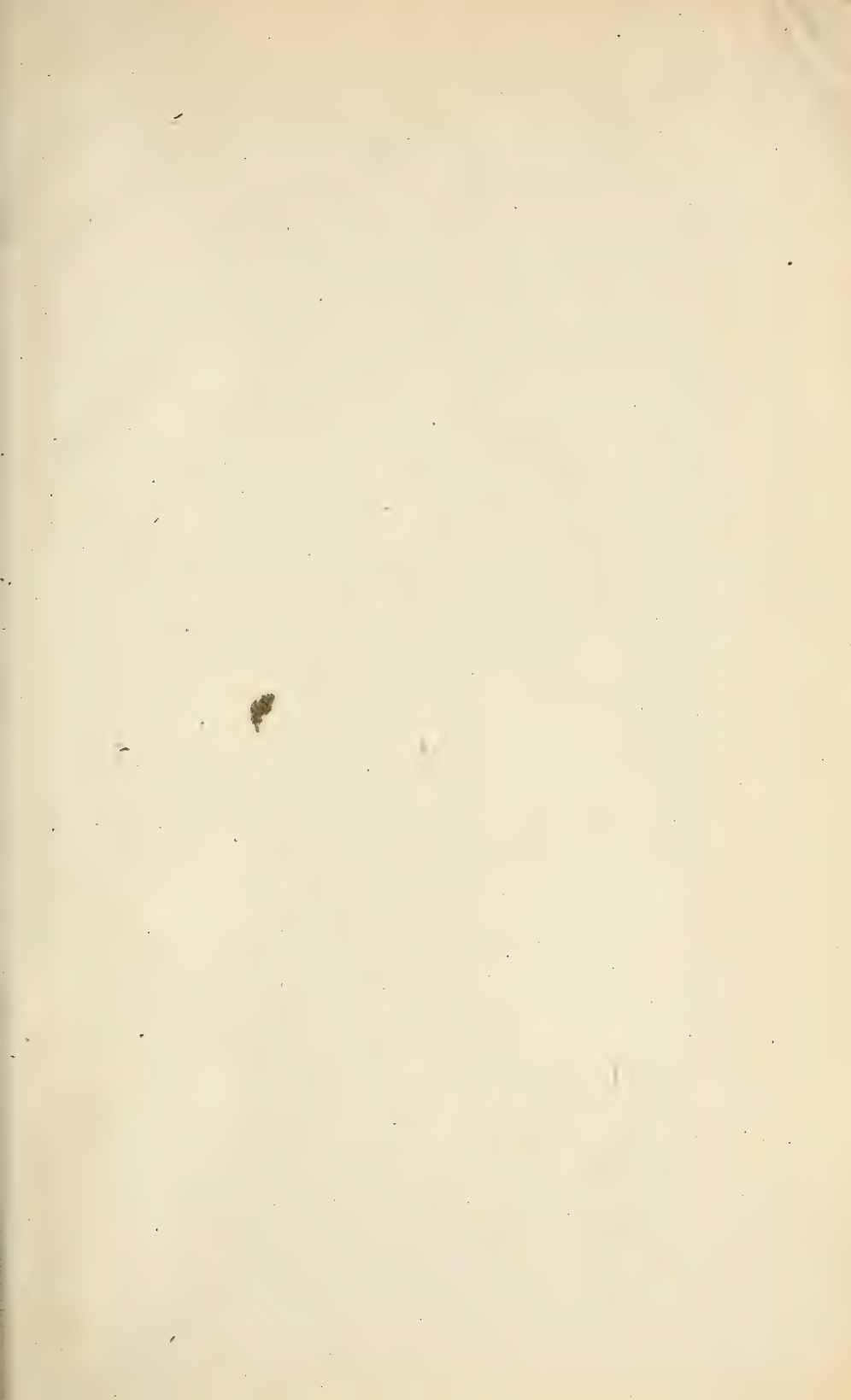
No.		PAGE
141	An act to amend sec. 47 of act dividing State into judicial circuits, etc.....	499, 535, 551, 581, 595, 603, 666, 783
143	An act for better protection of county revenue funds.....	550, 551, 567, 572, 593, 627, 630
144	An act to amend chap. 28, Gen. Stat., "constables".....	404, 416, 456, 881, 1232, 1331
147	An act to repeal chap. 118, Gen. Stat., "colored apprentices".....	756, 795, 812, 848
151	An act to amend secs. 2, 3, 4, 5, 9, 11, 14, 17 and 18 of act to provide for collection of delinquent taxes, etc.....	404, 417, 456, 530, 595, 604, 694, 786, 844, 916, 990, 1008, 1031, 1081, 1171, 1172, 1175
161	An act authorizing Governor and Attorney-General to employ attorney to prosecute claims against United States.....	347, 351, 397, 1633
162	Substitute for Senate bill No. 162, an act to extend time for completion of certain railroads.....	1007, 1013, 1034, 1175, 1177, 1284, 1244, 1253, 1296, 1299, 1329
166	An act to authorize the issue and sale of renewal revenue bonds, etc.....	543, 550, 567, 1393, 1402, 1429
172	An act to appropriate money for support of State Government for years 1879 and 1880.....	347, 351, 397, 410, 419, 440, 447, 531, 551, 576, 594, 620, 621, 622, 623, 624, 625, 626, 627, 628, 664, 665, 695
175	An act to repeal sec. 19, chap. 206, Gen. Stat., "offenses against public morals and decency," etc.....	628, 649, 666, 731, 732, 823, 843
177	An act to amend secs. 16, 17, 20 and 21, chap. 112, Gen. Stat., "voluntary assignment," etc.....	631, 650, 666, 745, 953, 1021, 1067
180	An act to amend act entitled "husband and wife and rights of married women".....	583, 649, 667, 755, 765
182	An act to prescribe manner of posting stray animals etc.....	600, 650, 667, 744, 830
184	An act to repeal act to encourage the erection of an academy of music, etc.....	932, 961, 986, 1061, 1075, 1096
188	An act relating to compensation of collectors in cities of over 100,000 inhabitants.....	404, 417, 456, 506, 1611
191	An act to amend sec. 1 of act to provide for taxing and licensing manufacturers.....	543, 550, 567, 681, 695
192	An act in relation formation of new counties, etc.....	1425, 1432, 1463, 1546, 1547, 1584, 1631
193	An act to supply certain courts of record with supreme court decisions.....	600, 650, 667, 878, 879, 923
194	Substitute for Senate bill No. 194, an act to appropriate money for deficiencies in appropriations for 1877 and 1878.....	899, 908, 931, 947, 948, 961, 1077, 1187, 1208, 1209, 1210, 1211, 1212, 1356, 1376, 1381, 1426, 1427, 1431, 1445, 1453, 1480, 1481, 1482, 1491, 1529
201	An act to revise and amend act to establish probate courts.....	1369, 1372, 1374, 1493, 1494, 1543
202	An act to revise and amend title 28, chap. 106, Gen. Stat., "frauds and perjuries".....	686, 700, 737, 779, 820, 866
203	An act to repeal act in relation to judicial sales in St. Louis county.....	543, 550, 567, 914, 945
205	Substitute for Senate bill No. 205, an act to regulate sale of liquor by druggists.....	1478, 1479, 1506, 1560, 1561, 1594
209	Substitute for Senate bills Nos. 209 and 70, an act to revise and amend chap. 62, Gen. Stat., "private corporations".....	1379, 1387, 1399, 1477, 1526, 1559
211	An act concerning assessment and collection of taxes.....	418, 455, 473, 500
215	Substitute for Senate bills Nos. 215, 216, 217 and 218, an act to enable counties, cities, townships and towns to fund their railroad debts, etc.....	1095, 1123, 1125, 1472, 1542
218	An act providing for enlargement of burial grounds, etc.....	583, 650, 667, 876, 877, 923
219	An act authorizing board of education of Oregon, Holt Co. to let or lease portions of public school building, etc.....	388, 417, 456, 797, 1049, 1095
220	Substitute for Senate bills Nos. 221 and 68, an act relating to the incorporation of manufacturing and business companies.....	1438, 1463, 1466, 1619, 1640, 1643
221	An act declaring certain bonds to have been paid, etc.....	372, 396, 417, 469, 672, 693
226	Substitute for Senate bill No. 241, an act to revise and amend chaps. 216, 117, 118 and 119, Gen. Stat., "Curators, guardians and wards," and "Masters, apprentices and servants".....	1021, 1044, 1062, 1225, 1226, 1284, 1289, 1338, 1364, 1367, 1368, 1381, 1389, 1391, 1429
234	An act to regulate building of barbed wire fences.....	600, 650, 667, 941
235	An act to establish a board of immigration, etc.....	756, 795, 811, 1000
238	An act to provide for issuing duplicate State bonds or coupons for past due bonds or coupons lost, destroyed or stolen, etc.....	404, 417, 456, 506, 546
240	An act to amend sec. 14, chap. 53, Gen. Stat. "Bridges".....	600, 650, 667, 1142

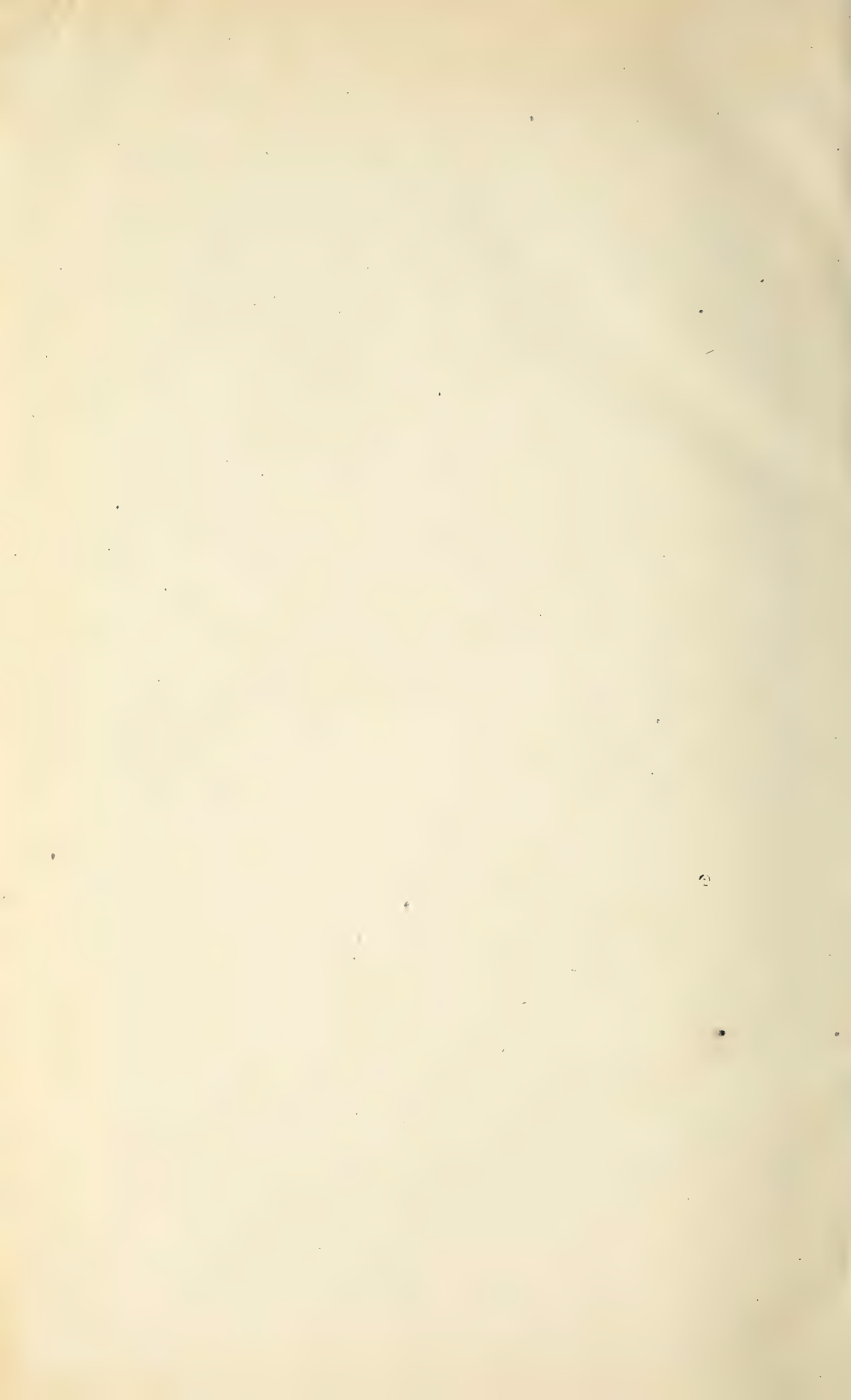
No.	PAGE
245	Substitute for Senate bills Nos. 245, 152, 275, 317 and 89, and House bill No
152	155, an act to revise and amend laws in relation to roads and highways...
275	1337, 1343, 1362, 1473, 1474, 1526, 1594
317	
89	
247	An act requiring certain officers to pay over fees to treasurers of certain mun-
	icipalities.....1095, 1122, 1125, 1475, 1542
251	An act in relation to courts of record in city of St. Louis.....1065, 1076, 1113,
	1180, 1181, 1235
253	An act to amend sec. 2 of act to provide for a branch recorder's office in
	Jackson county.....866, 908, 931, 1319, 1358
259	Substitute for Senate bill No. 259, an act to create and perpetuate free public
	school funds.....1478, 1479, 1506, 1527, 1528, 1594
262	Substitute for Senate bill No. 262, an act to establish a bureau of labor sta-
	tistics.....1515, 1521, 1530, 1553, 1554, 1584, 1594
266	An act declaring certain State bonds due and payable...1600, 1611, 1618, 1619,
	1620, 1621, 1644, 1645, 1646, 1647
268	An act to amend secs. 10 and 13 of act to amend act to provide for assessment
	of railroad property, etc.....932, 962, 986, 1110, 1136
272	An act for improvement of capitol building, etc.....1095, 1122, 1125, 1224,
	1562, 1563, 1584, 1632
273	An act to amend secs. 6 and 8 of act to regulate practice of pharmacy in St.
	Louis.....834, 857, 909, 1061, 1077, 1121
276	An act to amend act to establish three terms of circuit court at La Plata, Ma-
	con county.....992, 1011, 1013, 1097, 1136
277	An act to provide for organization and government of militia, etc.....913, 930,
	961, 1001, 1002, 1003, 1004, 1005, 1006, 1042
279	An act to amend act to amend chap. 98, Gen Stat., "Selling of wine by
	wine-growers".....725, 795, 811, 1105, 1136
280	An act to conform laws to Constitution.....1064, 1076, 1113, 1182, 1237, 1238
281	An act to repeal act relating to office of marshal of city of St. Louis.....1065,
	1076, 1113, 1183, 1239
282	An act to repeal act in relation to final process from courts of record in city
	of St. Louis.....1065, 1077, 1113, 1184, 1239
285	An act to provide for filling vacancies in State and county offices...1241, 1271,
	1288, 1307, 1308, 1310, 1497
290	An act to amend sec. 32 of act dividing State into judicial circuits, etc...1071,
	1077, 1113, 1158, 1295
299	An act to regulate salaries of judges of criminal courts in counties of over
	50,000 inhabitants.....1071, 1077, 1113, 1180, 1274, 1313, 1358
301	An act to furnish Joint Revision Committee with copies of all laws passed by
	Thirtieth Gen. Assembly.....771, 795, 812, 825, 835, 843
302	An act fixing liability of common carriers.....1478, 1479, 1506, 1596, 1597, 1642
303	Substitute for Senate bill No. 303, an act to amend chap. 58, Gen Stat. "Ed-
	ucation of the Blind".....1359, 1360, 1362, 1463, 1488, 1627, 1643
308	Substitute for Senate bill No. 308, an act to amend chap. 132, title 32, Gen.
	Stat., "Escheats,".....1359, 1360, 1362, 1457, 1522
309	Substitute for Senate bill No. 309, an act to revise and amend chap. 131, Gen.
	Stat., "Wills".....1338, 1343, 1361, 1456, 1526, 1559
310	Substitute for Senate bill No. 310, an act to amend chap. 132, title 32, Gen.
	Stat., "Dower".....1359, 1360, 1363, 1445, 1526, 1594
318	An act to provide for appointment of agent to prosecute claims of Missouri
	against United States.....1312, 1326, 1327, 1380, 1382
320	An act in relation to title to certain school lands.....1173, 1197, 1230, 1275, 1633
322	Substitute for Senate bill No. 322, an act in relation to 16th section.....1379, 1387,
	1399, 1498, 1499, 1539, 1559
325	Substitute No. 2 for Senate bill No. 325, an act to establish a court of com-
	mon pleas at Cape Girardeau.....1478, 1479, 1506, 1615
329	Substitute for Senate bill No. 329, an act providing for partition of personal
	property. ....1425, 1432, 1463, 1614, 1631
332	An act to provide for establishment of parks in cities, etc.....1095, 1122, 1125,
	1287, 1330
333	An act to revise and amend laws in relation to assessment of railroad prop-
	erty and collection of taxes thereon.....1284, 1316, 1327, 1470, 1471, 1543
335	An act to appropriate money out of certain funds.....1379, 1387, 1399, 1611
344	An act to appropriate money to judge of 16th judicial circuit.....1338, 1343,
	1362, 1528, 1548, 1549, 1594
345	An act to appropriate money to pay interest on bonds etc.....1231, 1249, 1266,
	1486, 1522

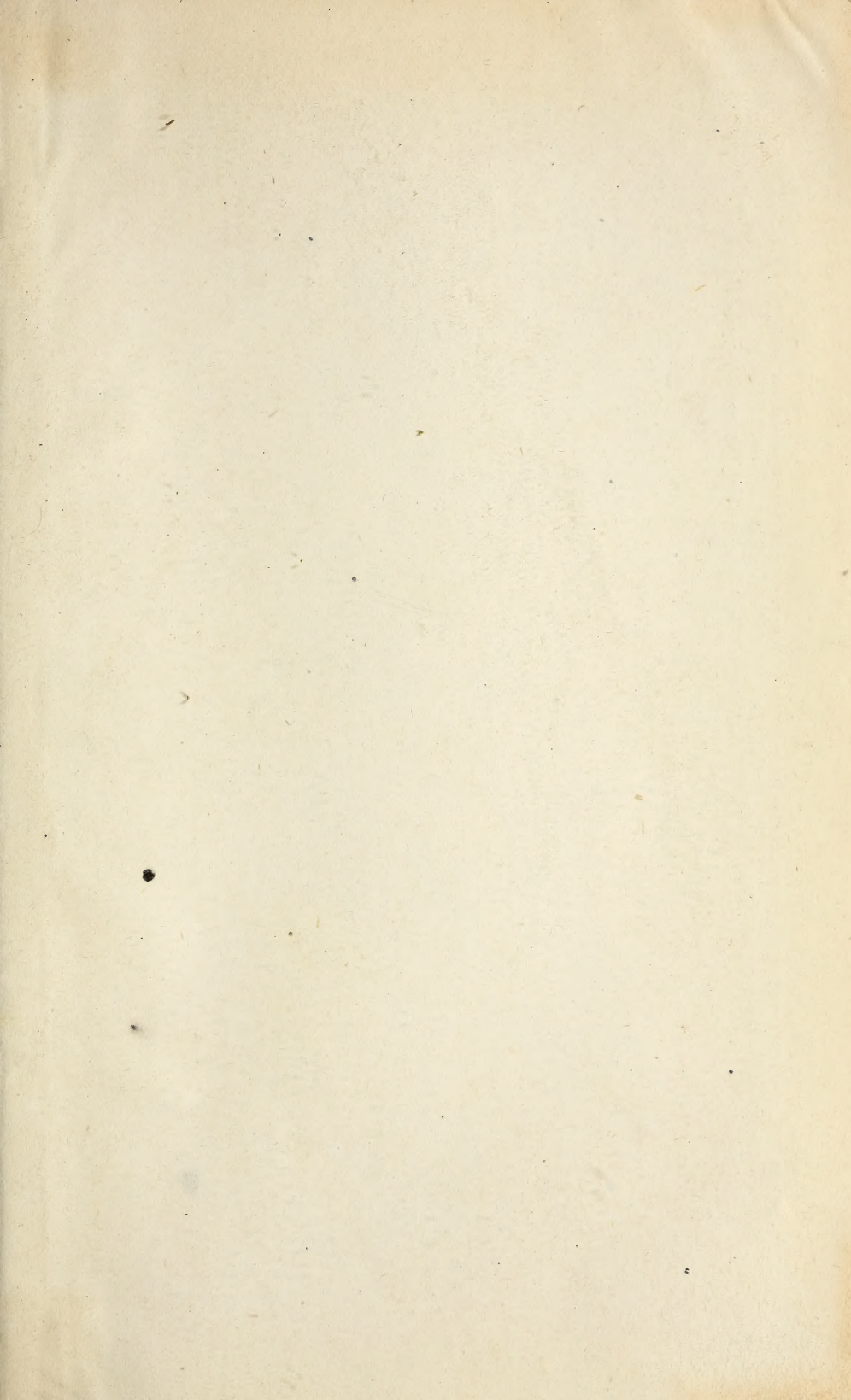
No.		PAGE
353	An act to amend act to establish 24th judicial circuit.....	1128, 1150, 1190, 1275, 1331
358	An act concerning executions.....	1284, 1316, 1326, 1347, 1386
361	An act for organization and government of militia.....	1173, 1197, 1230, 1285, 1286, 1337, 1358
362	An act in relation to courts of common pleas.....	1254, 1316, 1318, 1327, 1348, 1386
364	An act relating change of venue from St. Louis county criminal court...	1526, 1542, 1544, 1565
365	An act to repeal secs. 15, 16 and 17 of act to establish a criminal court in St. Louis.....	1526, 1542, 1545
368	An act to regulate examination of official bonds.....	1526, 1542, 1544, 1595, 1599, 1600, 1640
369	An act to provide for the appointment of a committee to settle with Treasurer.....	1800, 1611, 1618, 1647, 1648, 1650

SENATE JOINT AND CONCURRENT RESOLUTIONS TO "SENATE BUSINESS IN HOUSE."

No	Joint and Concurrent Resolution.	PAGE
1	In relation to revising statutes.....	56, 58
3	Declaring this the revising session.....	123, 149, 207, 668, 676
4	Praying Congress to establish efficient government in Indian Territory...	702, 705, 738, 890, 946, 991
5	To prevent Federal courts from assuming jurisdiction over causes wherein any subdivision of a State is a party.....	372, 397, 417, 762, 816
7	Improvement of Western rivers.....	543, 551, 567, 614, 638
8	Copyright of decisions of Supreme Court of U. S.....	289, 316, 345, 408, 676, 830, 843
10	To revise schedule of salaries and fees.....	194, 207, 221, 1632
14	Improvement of Missouri river.....	354, 397, 418, 472, 529
20	Repeal of Federal election laws.....	1284, 1316, 1327, 1501, 1543
21	Concerning revision of Statutes.....	842, 909, 913, 922, 993
25	To appoint a committee to settle with Treasurer.....	1381, 1382, 1399







UNIVERSITY OF ILLINOIS-URBANA



3 0112 109574829